بُلوغ المَرام

من أدلة الأحكام

# Bulugh Al-Maram

## Attainment of the Objective according to Evidence of the Ordinances

Compiled by:

الحافظ ابن حجر العسقلاني رحمه الله

**Al-Hafiz Ibn Hajar Al-Asqalani**

With Brief Notes from the Book

**Subul-us-Salam**

written by:

**Muhammad bin Ismail As-Sa**



**Dar-us-Salam Publications**

Riyadh-Saudi Arabia

*Bulugh Al-Marâm* is based upon the *Ahadith* of our Prophet صلى الله عليه وسلم .
There are many authentic books of *Ahadith*,
in all of these collections, *Bulugh Al-Marâm* holds a distinction in the respect that it is based on such *Ahadith* of the Prophet صلى الله عليه وسلم which have been the sources of Islâmic Jurisprudence.

We hope that like its translations in other languages, this English translation will also acclaim popularity, and people will get benefited from it.

# بلوغ المرام
## من أدلة الأحكام

# Bulugh Al-Maram

## Attainment of the Objective according to Evidence of the Ordinances

Compiled by:

العلامه الحافظ ابن حجر العسقلاني رحمه الله

Al-Hafiz Ibn Hajar Al-Asqalani

With Brief Notes from the Book

**Subul-us-Salam**

written by:

Muhammad bin Ismail As-Sanani

دار السلام للنشر

**Dar-us-Salam Publications**

Riyadh-Saudi Arabia

First Edition الطبعة الأولى

Supervised by:

**ABDUL MALIK MUJAHID**



Published by:

**Dar-us-Salam Publications** دار السلام للنشر
P.O. Box 22743, Riyadh 11416 ص.ب. ٢٢٧٤٣ - الرياض ١١٤١٦
Tel: 4033962 Fax: 4021659 ت: ٤٠٣٣٩٦٢ فاكس ٤٠٢١٦٥٩
Kingdom of Saudi Arabia المملكة العربية السعودية

**Branches in other Countries:**

**Dar-us-Salam Publications**
P.O. Box: 737651, Corona
Elmhurst Queen
NY11373, USA
Tel: (718) 699-5366

**Dar-us-Salam Publications**
10107, Westview 308
Houston,Tx 77043, USA
Tel: (713) 935-9206
Fax: (713) 722-0431

**Dar-us-Salam Publications**
50, Lower Mall Road
Near M.A.O. College
Lahore, Pakistan
Tel & Fax: (042) 7354072

**Dar-us-Salam Publications**
Rahman Market
Ghazni Street, Urdu Bazar
Lahore, Pakistan.
Tel: (042) 7120054

# CONTENTS

# THE AUTHOR'S BIOGRAPHY

The full name of the famous Imam Al-Hâfiz Ibn Hajar Al-'Asqalâni is Abul-Fadl, Shihâbuddin Ahmad bin 'Ali bin Muhammad bin Muhammad bin Ahmad Al-Kinâni Ash-Shâfi'i. Ibn Hajar Al-'Asqalâni was born on 10th Sha'bân, 773 H. in Egypt, where he grew up also. He memorized the Qur'ân at the age of nine years and also memorized *Al-Hâwi*, the book *Mukhtasar* of Ibn Al-Hajib, and other books. He travelled to Makka and listened to the teaching of its *'Ulama*. While he admired the knowledge of *Hadith* and began to acquire it from the great *Sheikh* in Hijâz, Ash-Shâm, Egypt and stayed with Az-Zain Al-'Irâqi for ten years. He also studied under Al-Balqini, Ibn Al-Mulaqqin and others. Many eminent *Sheikh* of his time approved his knowledge and allowed him to give religious verdicts and teach.

He had learned the two sources (Qur'ân and *Hadith*) from Al-'Izz bin Jamâ'a, the language from Al-Majd Al-Fairuzabâdi, the Arabic from Al-'Amâri, literature and poetry from Al-Badr Al-Mushtaki and writing from a group of professors. He also recited some parts of the Qur'ân in all the seven styles of recitation before At-Tanukhi.

He occupied himself with the promotion of the knowledge of *Hadith*, so he dwelt in its study, teaching, writing and giving *Fatawa* (religious verdicts). He also taught the *Tafsîr* (interpretation of the Qur'ân), the *Hadith*, the *Fiqh* (jurisprudence) and preached at many places like Al-Azhar, Jâmi' 'Amr and others. He also dictated to his students from his memory. Many highly educated people and distinguished scholars travelled to him to acquire from his vast knowledge.

Ibn Hajar Al-'Asqalâni authored more than 150 books — most of them being in the studies of *Hadith* — which flourished during his lifetime, and the kings and princes exchanged them as gifts. His book most worthy of mentioning is *Fath Al-Bâri* — the commentary of *Sahih Al-Bukhâri*, which he had started in the beginning of 817 H., after finishing its introductory part in 813H., and completed the whole commentary in Rajab 842 H. After the completion of the commentary, he held a party attended by the Muslim dignitaries and spent 500 Dinar on it. Then some kings requested for it and paid 300 Dinar.

Ibn Hajar became the *Qâdi* of Egypt, then Ash-Shâm was also added to his jurisdiction which he held for more than twenty-one years. He was against holding the office of the *Qâdi* at first, until the Sultan assigned to him a special case, then he accepted to represent Al-Balqini when he begged him very much to preside for him as *Qâdi*. Then he presided for others until he was assigned to hold the office of Chief *Qâdi* on 12 Muharram, 827 H. He then left, but he had to took the office of the Chief *Qâdi* for seven times until he left it finally in 852 H. which is the year he died in.

As concerns his personality, Al-'Asqalâni was humble, tolerant, patient and endurant. He was also described to be hilarious, steadfast, prudent, ascetic, selfless, generous, spender in charity and a person praying and fasting voluntarily. On the other hand he was said to be used to cracking of light jokes and telling of humorous anecdotes. He had also good manners of dealing with all the *Imam* whether highly or lowly placed and with all those who sat with him whether old or young.

Ibn Hajar died after the *'Ishâ* prayer on Saturday, 8th Dhul-Hijja, 852 H. May Allah reward him generously.

# INTRODUCTION

Praise is to Allah for his exposed and concealed bounties at all times, and peace and blessings be upon His Prophet and Messenger, his family and companions who strived steadfastly in the path of serving Allah's religion, and their followers who inherited the knowledge — for the *'Ulama* are the heirs of the Prophets — and both the bequeathers and the heirs.

To proceed; this is a concise book comprising the *Hadith* evidence sources of the *Sharia* which I have compiled meticulously so that the one who memorizes it excels among his peers, it may assist the beginner student and the learned one seeking more knowledge may find it indispensable.

I have indicated at the end of every *Hadith* the *Imâm* who collected it, in order to be honest to the (Muslim) *Ummah*. And therefore, *As-Sab'a* (the Seven) stands for Ahmad, Al-Bukhâri, Muslim, Abu Dâ'ud, An-Nasâ'i, At-Tirmidhi and Ibn Mâjah. *As-Sitta* (the Six)[1] stands for the rest excluding Ahmad. *Al-Khamsa* (the Five)[2] stands for the rest except Al-Bukhâri and Muslim or I may say *Al-Arba'a* (the Four)[3] and Ahmad. I mean by *Al-Arba'a* (the Four) the rest except the first three (i.e. Ahmad, Al-Bukhâri and Muslim), and by *Ath-Thalâtha* (the Three)[4] I mean the rest except the first three and the last one. I mean by *Al-Muttafaq 'alaih* (the Agreed upon)[5] Al-Bukhâri and Muslim, and I might not mention with them anyone else and any other thing apart from these clarifications is clear.

I have named it (this book) *Bulûgh Al-Marâm min Adillat Al-Ahkâm* (Attainment of the Objective according to Evidence of the Ordinances); and I pray to Allah not to render, what we have learnt, a calamity against us; but may He guide us to act according to what pleases Him - the Glorified and Exalted One.

---

[1] By Six means: Al-Bukhâri, Muslim, Abu Dâ'ud, An-Nasâ'i, At-Tirmidhi and Ibn Mâjah.

[2] By Five means: Ahmad, Abu Dâ'ud, An-Nasâ'i, At-Tirmidhi and Ibn Mâjah.

[3] By Four means: Abu Dâ'ud, An-Nasâ'i, At-Tirmidhi, and Ibn Mâjah.

[4] By Three means: Abu Dâ'ud, An-Nasâ'i and At-Tirmidhi.

[5] By 'the Agreed upon' means: *Ahadith* accepted and agreed to by both Imam Bukhâri and Imam Muslim.

Most reliable *Hadith* is that one which has been narrated by Bukhâri and Muslim. Second reliable *Hadith* is that one which has been narrated only by Bukhâri. Third reliable *Hadith* is that one which has been narrated by Muslim alone. *Ahadith* narrated by An-Nasâ'i, At-Tirmidhi, Abu Dâ'ud, Ibn Mâjah and Muwatta' of Imâm Mâlik are graded thereafter in the line of reliability, and then comes the place of *Ahadith* mentioned in other books. This established order of reliability should be followed where there is a contention.

# A NOTE FROM THE PUBLISHER

In line with our main object of propagating the pure teachings of Qurân and *Sunna* , we are presenting the English translation of the book *Bulugh Al-Marâm* based upon the *Ahadith* of our Prophet صلى الله عليه وسلم . There are many authentic books of *Ahadith*, in all of these collections, *Bulugh Al-Marâm* holds a distinction in the respect that it is based on such *Ahadith* of the Prophet صلى الله عليه وسلم which have been the sources of Islâmic Jurisprudence. Allama Hafiz Ibn Hajar Asqalâni has also recorded the true significance of almost each *Hadîth*, thus making it more valuable and useful in many respects. He has also mentioned the origins of the *Ahadith* and made a comparison of the versions in case the sources are more than one. One more distinctive feature, along with others, is that the versions have also been shortened to present just the main purpose of the *Hadîth* according to its classification under the chapter. Because of these preferential qualities, *Bulugh Al-Marâm* has been accepted widely and is among the most sought-after books of *Ahadith*.

We hope that like its other translations, this English translation will also acclaim popularity and people will get benefited from it.

We want to point out that the publishing of Islamic books in non-Arabic language is not an easy task as it needs a colossal work and a great deal so that it can be saved from lingual, creedal and methodical errors.

All praise is due to Allah that all of us in Dar-us-Salam have great enthusiasm regarding the propagation of the teachings of Qur'ân and *Sunna*. The members of Dar-us-Salam put their each and every effort and worked very hard all year round to present this book in such a good form. I am thankful to Allah that the task has been completed in the desired way with His help only.

My gratitudes and thanks are for the following members of the team who provided their great efforts and fulfilled their tasks assigned to them in computerization, editing, compilation and correction of manuscripts:

Mr. Muhammad Tahir.
Mr. Muhammad Ayub
Mr. Shakeel Ahmed
Mr. Shaheer Iftikhar
Mr. Saeeduddin
Mr. Hussain Mahdi Noor
Mr. Muhammad Munawar

I ask Allah عزوجل to accept this humble task from us, which we have done purely for His pleasure and put it in the balances of all those who participated in this presentation.

Finally, we should admit that being a human task, it may be that any mistake in composing or translation has been overlooked so if any mistake is observed by any reader, it should be sent to us for correction in the next edition. We will be thankful for any such correction indicated.

May peace and blessings of Allah be upon our Prophet Muhammad, his family, companions and all who follow him.

**Abdul Malik Mujahid**
General Manager
**Dar-us-Salam Publications**
Riyadh, Saudi Arabia.

بسم الله الرحمن الرحيم

# 1. THE BOOK OF PURIFICATION

## Chapter 1 WATER

**1.** Narrated Abû Huraira[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said regarding the sea, "Its water is purifying and its dead (animals) are lawful (to eat)". [*Al-Arba'a*[2] and Ibn Abu Shaiba reported it, version is of the latter. Ibn Khuzaima and At-Tirmidhi graded it *Sahih* (sound). Mâlik, Ash-Shâfi'i and Ahmad reported it].

**2.** Narrated Abû Sa'îd Al-Khudri[3] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Water is pure[4] and nothing can make it impure." [Reported by *Ath-Thalâtha*[5], and Ahmad graded it *Sahih* (sound)].

**3.** Narrated Abû Umâma Al-Bâhili[6] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم

# (١) كتاب الطَّهَارة

## ١ - بابُ المِيَاه

(١) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قال رسولُ اللهِ ﷺ في البَحْرِ: «**هُوَ الطَّهُورُ مَاؤُهُ والحِلُّ مَيْتَتُهُ**». أَخْرَجَهُ الأَرْبَعَةُ وَابْنُ أَبِي شَيْبَةَ وَاللَّفْظُ لَهُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالتِّرْمِذِيُّ، وَرَوَاهُ مَالِكٌ وَالشَّافِعِيُّ وَأَحْمَدُ.

(٢) وعَنْ أَبِي سَعِيدٍ الخُدْرِيِّ رَضِيَ اللهُ تَعَالَى عَنْهُ، قَالَ: قال رسول الله ﷺ: «**إِنَّ المَاءَ طَهُورٌ لاَ يُنَجِّسُهُ شَيْءٌ**». أَخْرَجَهُ الثَّلاَثَةُ وَصَحَّحَهُ أَحْمَدُ.

(٣) وعَنْ أَبِي أُمَامَةَ البَاهِلِيِّ رَضِيَ اللَّهُ

---

[1] His real name is 'Abdullah or 'Abdur-Rahmân bin Sakhr Ad-Dausi, and was one of the greatest *Sahâba* (Companions of the Prophet صلى الله عليه وسلم) and reported the largest number of *Ahâdîth*. More than 800 men narrated from him. He became a Muslim in the year of Khaibar (7 H.) and stayed in the company of the Prophet صلى الله عليه وسلم until he (the Prophet صلى الله عليه وسلم) died. He was appointed a *Mufti* (scholar of Islâmic verdicts) during the caliphate of 'Umar and later became the governor of Al-Madîna during the reign of Marwân bin Al-Hakam. He died in 59 H. and was buried at Al-Baqî'.

[2] The collectors of *Hadîth:* Abû Dâ'ud, At-Tirmidhi, An-Nasâ'i and Ibn Mâjah.

[3] His name is Sa'd bin Mâlik bin Sinân Al-Khazraji Al-Ansâri. He was one of the learned *Sahâba*, reported many *Ahâdîth* and gave religious opinions for some time. He died at the beginning of 74H. at the age of 86 years.

[4] It is reported in Ahmad, At-Tirmidhi and Abu Dâ'ud that the Prophet صلى الله عليه وسلم said these words answering a question about the well of Budâ'a (بئر بضاعة), which is located in the vicinity of Al-Madîna, and was always filled with filth. This well was situated in a low lying area and the rain water would carry all the dirt and garbage into it. These words are certainly about this well.

[5] The collectors of *Hadîth:* Abû Dâ'ud, At-Tirmidhi, and An-Nasâ'i.

[6] His name is Suday bin 'Ajlân, one of the *Sahâba* who reported many *Ahâdîth*. He lived in Egypt then moved to Hims (now in Syria) and died there at the age of 81 or 86 years.

said, “Water cannot be rendered impure by anything except something which changes its smell, taste and colour[1]”. [Ibn Mâjah reported it and Abû Hâtim described it as *Da'if* (weak)]. And Al-Baihaqi reported: “Water is pure unless any impure thing is added which changes its smell, taste and colour.”

تَعَالَى عَنْهُ قَالَ: قَالَ رسولُ الله ﷺ: «إِنَّ الْمَاءَ لاَ يُنَجِّسُهُ شَيْءٌ إِلاَّ مَا غَلَبَ عَلَى رِيحِهِ وَطَعْمِهِ وَلَوْنِهِ». أَخْرَجَهُ ابْنُ مَاجه، وَضَعَّفَهُ أَبُو حَاتِمٍ، وَلِلْبَيْهَقِيِّ: الماءُ طَهُورٌ إِلاَّ إِن تَغَيَّرَ رِيحُه أو طَعْمُه أو لَونُه بِنَجَاسَةٍ تَحدُثُ فِيهِ.

**4.** Narrated ‘Abdullah bin ‘Umar[2] رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, “If there is enough water to fill two pots (قلة)[3], it carries no impurity.” Another version has: “it does not become unclean”. [*Al-Arba'a* reported it. Ibn Khuzaima, Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(٤) وعَنْ عَبدِاللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: قَالَ رسولُ الله ﷺ: «إِذَا كَانَ الْمَآءُ قُلَّتَيْنِ لَمْ يَحمِلِ الخَبَثَ». وفي لَفْظٍ: «لَمْ يَنْجُسْ» أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وابْنُ حِبَّانَ وَالْحَاكِمُ.

**5.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, “None of you should take bath in stagnant water when he is sexually impure.” [Muslim reported it]. Another version of Al-Bukhâri has: “None of you should urinate in stagnant water that is not flowing, then take bath in it.[4]” A version of

(٥) وَعَنْ أَبِي هُرَيرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسولُ الله ﷺ: «لا يَغْتَسِلْ أَحَدُكُمْ فِي الْمَاءِ الدَّائِمِ وَهُوَ جُنُبٌ». اخرجه مسلم. وللبخاري: «لاَ يَبُولَنَّ أَحدُكُمْ فِي الْمَآءِ الدَّائِمِ الَّذي لاَ يَجْرِيْ، ثُمَّ يَغْتَسِلُ فِيهِ». ولِمُسْلِمٍ «منه» وَلأَبِي دَاوُد «وَلاَ يَغْتَسِلُ فِيهِ

[1] Some of the people remark that water may be less or more in quantity, if filth alters its one quality out of three (its colour, odour and taste), it would become impure. But the proper view in this connection is that if water is less than 227 kilograms (two *Qulla*) then mere filth makes it impure, whether there is a change in any one of its quality or not, but when water is more than the said quantity, it does not get impure, until there is a change at least in one quality.

[2] He was among the most ascetic and most knowledgeable *Sahâba*. He became a Muslim at Makka while a small boy, and migrated to Al-Madîna. He first participated in the battle of Al-Khandaq, died in 73 A. H., and was buried at Dhî Tuwa.

[3] *Qulla* (قلة) is a large earthen pot, which may contain water up to two and a half water-skins, viz., one hundred and thirteen kilograms.

[4] It means less quantity of water; if water is in abundance, it will be regarded as flowing water, which is not an impure one and is good for bathing. It has been prohibited to urinate in the stagnant water on the ground that one may not make it a habit and pollute the water. Condition of stagnant water is only because flowing water is always clean and never

Muslim has the words: "from it (i.e. the water)". A version of Abû Dâ'ud has: "One should not take bath in it from sexual impurity."

مِنَ الْجَنَابَةِ».

**6.** A man[1] who accompanied the Prophet صلى الله عليه وسلم narrated: Allâh's Messenger صلى الله عليه وسلم forbade a woman to bathe with the water left over by a man, and that a man should not bathe with the water left over by a woman, (and instead) they should both take scoopfuls of the water together. [Reported by Abû Dâ'ud and An-Nasâ'i and its chain of narrators is *Sahih* (authentic)].

(٦) وعَنْ رَجُلٍ صَحِبَ النَّبِيَّ ﷺ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تَغْتَسِلَ الْمَرْأَةُ بِفَضْلِ الرَّجُلِ، أَوِ الرَّجُلُ بِفَضْلِ الْمَرْأَةِ، وَلْيَغْتَرِفَا جَمِيعاً. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَإِسْنَادُهُ صَحِيحٌ.

**7.** Narrated Ibn 'Abbâs رضي الله عنهما[2]: The Prophet صلى الله عليه وسلم used to bath with the water left over by Maimûna رضي الله عنها. [Muslim reported it]. And *Ashâb As-Sunan* (compilers of the Prophet's sayings) reported that one of the wives of the Prophet صلى الله عليه وسلم took bath from a vessel, then came the Prophet صلى الله عليه وسلم and when he wanted to take bath from that (vessel), she[3] said, "I was sexually impure." He said, "Water does not become sexually impure." [At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (sound)].

(٧) وعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَغْتَسِلُ بِفَضْلِ مَيْمُونَةَ رَضِي الله تعالى عنها. أخرجه مسلم. ولأَصْحابِ السُّنَنِ: اغْتَسَلَ بَعْضُ أَزْوَاجِ النَّبِيِّ ﷺ فِي جَفْنَةٍ، فَجَاءَ النَّبِيُّ ﷺ لِيَغْتَسِلَ مِنْها، فَقَالَتْ له: إِنِّي كُنْتُ جُنُباً، فَقَالَ: «إِنَّ الْمَاءَ لاَ يَجْنُبُ». وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

**8.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(٨) وعَنْ أَبِي هُرَيْرَةَ رضي اللَّهُ تَعَالَى

becomes impure, even dirt and filth do not make it impure.

[1] This man is one of the *Sahâba*, and failure to mention his name does not harm because the *Sahâba* are all trustworthy.

[2] He is 'Abdullâh bin 'Abbâs bin 'Abdul-Muttalib, the Prophet's cousin and the scholar of the Muslim *Ummah*. He was born 3 years before *Al-Hijra* and died at Tâ'if in 67 A.H.

[3] This *Hadith* apparently seems to be in contradiction with the first, but actually it is not, because the order is not of absolute prohibition (نهى تحريمى), but is only of suggestive prohibition (نهى تنزيهى) to avoid any trace of impurity.

"The cleansing of the utensil belonging to one of you, after it has been licked by a dog, is to wash it seven[1] times, using soil for cleaning at the first time." [Muslim reported it. Another version has: "he should spill the contents]". At-Tirmidhi's version has: "using soil at the first or last time".

عَنْهُ قَالَ: قَالَ رسولُ الله ﷺ: طُهُورُ إِنَاءِ أَحَدِكُمْ إِذَا وَلَغَ فِيهِ الكَلْبُ أَنْ يَغْسِلَهُ سَبْعَ مَرَّاتٍ، أُولاَهُنَّ بِالتُّرَابِ أخرجَهُ مُسْلِمٌ، وَفِي لَفْظٍ لَهُ «فَلْيُرِقْه». وَلِلتِّرمِذِيِّ: «أُخْرَاهُنَّ أَوْ أُولَاهُنَّ بالتُّراب».

**9.** Narrated Abû Qatâda[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said about the cat that, "It is not unclean, but is one of those who intermingle with you." [Reported by *Al-Arba'a*[3]. At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (sound)].

(٩) وعن أَبِي قَتَادة رضي الله تعالى عنه أَنَّ رَسولَ الله ﷺ قَالَ في الهِرَّةِ: «إِنَّهَا لَيْسَتْ بِنَجَسٍ، إِنَّمَا هِيَ مِنَ الطَّوَّافِينَ عَلَيْكُمْ». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

**10.** Narrated Anas bin Mâlik[4] رضي الله عنه: A Bedouin came and urinated in one corner of the mosque, and the people shouted at him, but Allâh's Messenger صلى الله عليه وسلم stopped them,

(١٠) وعَنْ أَنَسِ بْنِ مَالِكٍ رضي الله تعالى عنه قال: جَاءَ أعرابيٌّ، فَبَالَ في طَائِفَةِ الْمَسْجِدِ، فَزَجَرَهُ النَّاسُ، فَنَهَاهُمْ رسولُ الله

---

[1] It must be clear that just to clean a thing from impurity, it is not necessary to wash it for seven times. The philosophy of cleaning a thing for seven times is different from that of simple purification. Physicians of today say that mostly in the intestines of dogs there are germs and small worms approximately 4 mm. in length, and these move out from intestines with the excrement and stick to the hair around the anus. When dogs clean this place with tongue, it gets soiled with these organisms. If a dog licks a pot or someone kisses the dog, as the European and American ladies do, these are transferred from dog to the pot or to the mouth of the woman and then to the stomach. These organisms keep on moving, and penetrate into blood cells causing many fatal diseases. As the detection of these germs is not possible without microscopic tests, the *Shari'a* (شريعة - Islamic law) declared the dog's saliva an inherently impure thing by a general command, and whatever a thing is polluted with dog's saliva, must be cleaned seven times (which in one time should be with the soil) to be sure of its purity. For more details please see the footnotes of the book *Ahkâm-ul-Ahsan, Sharh Umdat-ul-Ahkâm*].

[2] He is Al-Hârith bin Rib'i Al-Ansâri, the Prophet's horseman. He fought the battle of Uhud and those which followed. It is said he died at Al-Madîna or Kûfa in 54H.

[3] Abu Dâ'ud, Tirmidhi, Nasâ'i and Ibn Mâjah.

[4] He was the Prophet's servant from the time he came to Al-Madîna till his death. He is known as Abû Hamza and was a Khazraji. He lived in Basra during 'Umar's Caliphate and died in it at the age of 99 or 103 years in 91 or 92 or 93 H.

and when he finished urinating, the Prophet صلى الله عليه وسلم ordered for a bucket of water which was spilt[1] over it. [Agreed upon].[2]

ﷺ، فلما قضى بوله أمر النبيُّ ﷺ بذنوب من ماءٍ فأُهريق عليه. مُتّفقٌ عليه.

**11.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Two types of dead animals and two types of bloods have been made lawful for us, the two types of dead animals are locusts and fish (seafood), while the two types of bloods are the liver and the spleen." [Reported by Ahmad and Ibn Mâjah, and this *Hadîth* has some weakness.]

(١١) وعن ابن عُمَرَ رَضِيَ اللَّهُ تعالى عنهما قال: قال رسول الله ﷺ: **«أُحِلَّتْ لنا مَيْتَتَانِ ودَمَانِ، فأمَّا المَيْتَتَانِ فالجَرادُ والحُوتُ، وأمَّا الدَّمانِ فالكَبِدُ والطِّحَالُ»**. أخرجه أحمد وابن ماجه، وفيه ضعفٌ.

**12.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When a fly falls in the drink of one of you, he should fully dip it and then throw it away because there is disease in one of its wings and cure in the other."[3] [Reported by Al-Bukhâri and Abû Dâ'ud who added: "It (the fly) protects itself with the diseased wing (by dipping it first in a drink)].

(١٢) وعن أبي هُرَيْرَةَ رَضِيَ اللَّهُ تعالى عنه قال: قال رسول الله ﷺ: **«إذا وقع الذُّبابُ في شرابِ أحدِكم فليَغمِسْه، ثُمَّ لِيَنزِعْهُ فإنَّ في أحدِ جناحَيه داءً، وفي الآخرِ شِفاءً»**. أخرجه البخاريُّ وأبو داود، وزاد: **«وإنَّه يَتَّقِي بجناحِه الَّذي فيه الدَّاءُ»**.

**13.** Narrated Abû Wâqid Al-Laithi[4] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whatever (portion) is cut off from an animal when it is alive is dead (meat). [Reported by Abû Dâ'ud and At-Tirmidhi who graded it *Hasan* (fair), and this version is of Tirmidhi].

(١٣) وعن أبي واقدٍ اللَّيثيِّ رَضِيَ اللَّهُ تعالى عنه قال: قال رسول الله ﷺ: **«ما قُطِعَ مِنَ البهيمةِ، وهي حيَّةٌ، فهو ميِّتٌ»**. أخرجه أبو داود والتِّرمذيُّ، وحسَّنه، واللَّفظُ له.

---

[1] This *Hadîth* proves that earth gets pure when dried up, as Ibn Abi Shaiba has narrated, specially when you let the water flow over the spot.

[2] Al-Bukhâri and Muslim.

[3] It is evident from this *Hadith* that if a fly drops into water or syrup, it will not become impure, and the creatures of this family who's blood does not flow, like mosquito, wasp and spider, etc. do not make the water impure if fallen or died into it.

[4] His name is Al-Hârith bin 'Auf and is a descendant of Banû 'Aamir bin Laith. He became a Muslim very early and is counted among the people of Al-Madîna. It is said that he fought at Badr, lived in Makka and died in it in 65H. or 68H. at the age of 57 and was buried at Funj.

## Chapter 2 UTENSILS

## ٢ - بَابُ الآنِيَةِ

**14.** Narrated Hudhaifa bin Al-Yamân[1] رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Do not drink in silver or gold utensils, and do not eat in plates of such metals,[2] for such things are for them (the disbelievers) in this worldly life and for you in the Hereafter." [Agreed upon].[3]

(١٤) عَنْ حُذَيْفَةَ بْنِ الْيَمَانِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رسولُ الله ﷺ: «لاَ تَشْرَبُوا فِي آنِيَةِ الذَّهَبِ وَالفِضَّةِ وَلاَ تَأْكُلُوا فِي صِحَافِهَا، فَإِنَّهَا لَهُمْ فِي الدُّنْيَا وَلَكُمْ فِي الآخِرَةِ». مُتَّفَقٌ عَلَيْهِ.

**15.** Narrated Umm Salama[4] رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "He who drinks in a silver utensil is only swallowing Hell-fire in his stomach." [Agreed upon].

(١٥) وعن أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تعالَى عنها قالت: قَالَ رسولُ الله ﷺ: «الَّذِي يَشْرَبُ فِي إِنَاءِ الفِضَّةِ إِنَّمَا يُجَرْجِرُ فِي بَطْنِهِ نَارَ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

**16.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When the skin is tanned it becomes purified.[5]" [Reported by Muslim]. *Al-Arba'a* have the words: "Any skin that is tanned ..."

(١٦) وعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رسولُ الله ﷺ: «إِذَا دُبِغَ الإِهَابُ فَقَدْ طَهُرَ». أَخْرَجَهُ مُسْلِمٌ، وَعِنْدَ الأَرْبَعَةِ «أَيُّما إِهَابٍ دُبِغَ».

---

[1] He is nicknamed Abû 'Abdullâh, both him and his father were *Sahâba* and he became famous for being the confidant of the Prophet صلى الله عليه و سلم. He died at Midian (Madâin) forty nights after the killing of 'Uthmân in the year 35H. or 36 H.

[2] This *Hadîth* is mentioned here with a purpose to clarify that if it is prohibited to eat and drink in gold and silver utensils, then performing ablution is also prohibited with using gold and silver utensils, otherwise this *Hadîth* would have been placed in the chapter of eating and drinking. Eating, drinking and performing ablution in utensils studded with rubies and diamonds is permissible.

[3] Al-Bukhâri and Muslim.

[4] She is Hind bint Abû 'Umaiya. She was married to Abû Salama, she immigrated with him to Abyssinia (Ethiopia) and came with him to Al-Madîna. When Abû Salama died from an injury, he had sustained during the battle of Uhud, the Prophet صلى الله عليه وسلم married her in Shawwâl 4 H. It is said that she died in 59H. or 62 H. at the age of 84 years and was buried at Al-Baqi'.

[5] This *Hadîth* approves that a hide, after tanning becomes pure and clean, may be the hide is of an animal which is (حرام) prohibited to eat or (حلال) lawful to eat and whether the animal is slaughtered or died. But the skins of human beings and some of the animals are unlawful and not permitted for use. The skin of man is unlawful due to his sacredness and reverence and the skins of animals like dog and pig are unlawful and not permitted for use because they are inherently impure and unclean. It should also be remembered that hair, teeth and horns of permitted animals are also lawful for use and trade.

**17.** Narrated Salama bin Al-Muhabbiq[1] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The tanning of a dead animal's skin purifies it." [Ibn Hibbân graded it *Sahih* (sound)].

(١٧) وعن سَلَمَةَ بْنِ الْمُحبّقِ رَضِيَ اللّهُ تَعَالَى عَنْهُ قَالَ: قال رسولُ الله ﷺ: «دِبَاغُ جُلُودِ الْمَيْتَةِ طَهُورُهَا». صَحّحَهُ ابْنُ حِبّان.

**18.** Narrated Maimûna رضى الله عنها: Some people dragging a (dead) goat passed by the Prophet صلى الله عليه وسلم. He told them, "Had you better taken its skin.". They said, "It is dead". He said, "Water and the leaves of the Acacia tree will purify it." [Reported by Abû Dâ'ud and An-Nasâ'i].

(١٨) وعَنْ مَيْمُونَةَ رَضِيَ اللّهُ تَعَالَى عَنْهَا قَالَتْ: مَرّ النّبِيُّ ﷺ بِشَاةٍ يَجُرُّونَها، فَقَالَ: «لَوْ أَخَذْتُمْ إِهَابَها» فَقَالُوا: إِنَّها مَيْتَةٌ، فَقَالَ: «يُطَهِّرُهَا المَاءُ والقَرَظُ». أَخْرَجَه أَبُو دَاوُدَ وَالنّسَائِيّ.

**19.** Narrated Abû Tha'laba Al-Khushni[2] رضى الله عنه: I said, "O Allâh's Messenger! We are living in a land inhabited by the people of the Scriptures, can we take our meals in their utensils?" He said, "If you can get utensils other than theirs, do not eat in theirs,[3] but if you cannot get other than theirs, wash them and eat in them." [Agreed upon].

(١٩) وعَنْ أَبِي ثَعْلَبَةَ الْخُشَنِيّ رَضِيَ اللّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ إِنّا بِأَرْضِ قَومٍ أَهْلِ كِتَابٍ، أَفَنَأْكُلُ فِي آنِيَتِهِمْ؟ قَالَ: «لَا تَأكُلُوا فِيهَا إِلاَّ أَنْ لاَ تَجِدُوا غَيْرَهَا، فَاغْسِلُوهَا، وَكُلُوا فِيهَا». مُتّفَقٌ عَلَيْهِ.

**20.** Narrated 'Imrân bin Husain[4] رضى الله عنهما: The Prophet صلى الله عليه وسلم and his Companions performed *Wudu* (ablution) from a skin water

(٢٠) وعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ الله تعالى عَنْهُمَا: أَنَّ النّبِيَّ ﷺ وأَصحابه

[1] He is nicknamed Abû Sinân of Hudhali tribe. He is considered as a resident of Basra and Al-Hasan Al-Basri took the *Hadith* from him.

[2] He is a *Sahâbi* (Companion of the Prophet صلى الله عليه وسلم) descending from Khushain bin An-Nimir of Qudâ'a tribe. He was one of the *Ashâb Ash-Shajara* who entered a covenant with the Prophet صلى الله عليه وسلم on the day of Al-Hudaibiya. He was sent to his people and they accepted Islam. He settled in Shâm and died there in 75H.

[3] This *Hadith* makes it clear that if the utensils from a Muslim are available then the utensils of a non-Muslim should not be used for eating, drinking or cooking. If it is certain about a non-Muslim that he does not eat something unlawful or prohibited, then his utensils may be used, but even then one should be careful.

[4] He is nicknamed Abû Nujeid and is from the Khuzâ'a tribe. He accepted Islâm in the year of Khaibar. He settled in Basra and died there in 52H. or 53H.

container[1] belonging to a polytheist woman. [Agreed upon]. (It is an extract of a long *Hadîth*)

تَوَضَّؤُوا مِن مَزادَةِ امْرَأَةٍ مُشْرِكَةٍ. مُتَّفَقٌ عَلَيْهِ في حَدِيثٍ طَوِيلٍ.

**21.** Narrated Anas bin Mâlik رضي الله عنه: When the cup of the Prophet صلى الله عليه وسلم got broken, he fixed it with a silver wire[2] at the crack. [Reported by Al-Bukhâri].

(٢١) وعن أَنَسِ بْنِ مَالِكٍ رَضِيَ اللهُ تعالى عنه: أَنَّ قَدَحَ النَّبِيِّ ﷺ انكَسَرَ فَاتَّخَذَ مَكَانَ الشَّعْبِ سِلْسِلَةً مِنْ فِضَّةٍ. أَخْرَجَهُ الْبُخَارِيُّ.

## Chapter 3 THE NATURE AND CLEANSING OF *AN-NAJASAH* (THE IMPURITIES)

## ٣ - بَابُ إِزَالَةِ النَّجَاسَةِ وَبَيَانِها

**22.** Narrated Anas bin Mâlik رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم was asked about making vinegar out of wine. He said, "No (it is prohibited)".[3] [Reported by Muslim, and At-Tirmidhi and the latter graded it *Hasan-Sahih* (fair and sound)].

(٢٢) عَن أَنَسِ بْنِ مَالِكٍ رضي الله عنه قَالَ: سُئِلَ رَسُولُ اللهِ ﷺ عَنِ الخَمْرِ تُتَّخَذُ خَلاًّ؟ قال: «لا». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَقَالَ حَدِيثٌ حَسَنٌ صَحِيحٌ.

**23.** Narrated (Anas bin Mâlik) رضي الله عنه: On the day of Khaibar, Allâh's Messenger صلى الله عليه وسلم commanded Abû Talha[4] to announce: "Allâh and His Messenger have prohibited for you (eating of) the flesh of the donkeys, for it is unclean."[5] [Agreed upon.]

(٢٣) وعَنْهُ قَالَ: لَمَّا كَانَ يَومُ خَيْبَرَ أَمَرَ رَسُولُ اللهِ ﷺ أَبَا طَلْحَةَ فَنادَى: أَنَّ اللَّهَ وَرَسُولَهُ يَنْهَيَانِكُمْ عَنْ لُحومِ الْحُمُرِ الأَهْلِيَّةِ، فَإِنَّها رِجْسٌ. مُتَّفَقٌ عَلَيْه.

**24.** Narrated 'Amr bin Khârija[6] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم

(٢٤) وعن عَمْرِو بْنِ خَارِجَةَ رَضِيَ

[1] This *Hadîth* clarifies that such utensils of the polytheists may be used without any hesitations, about which there is no probability of being impure.

[2] This *Hadîth* proves that if this much amount of gold or silver is present in any utensil, then making ablution with it or eating and drinking in it is not prohibited.

[3] Making of vinegar from wine by adding something in it is prohibited.

[4] He is Zaid bin Sahl bin Al-Aswad bin Harâm Al-Ansâri An-Najâri who was one of the senior *Sahâba*. He attended the 'Aqaba Covenant and all the battles. He fought bravely during the battle of Uhud and defended the Prophet صلى الله عليه وسلم till his hand got paralysed. He also killed 20 men in the battle of Hunain. He died in the year 34 H. or 51 H.

[5] Leftover water of a donkey is pure and usable.

[6] He is 'Amr bin Khârija bin Al-Muntafiq Al-Asadi. He was an ally of Abû Sufyân. He is regarded as being from the clan of Al-Ash'ar. He is among the *Sahâba* who settled in Shâm and this *Hadîth* was reported by the people of Basra.

delivered a *Khutba* (religious talk) to us at Mina while mounted on his camel and its saliva was pouring on my[1] shoulders. [Reported by Ahmad and At-Trimidhi and the latter graded it *Sahih* (sound)].

اللَّهُ تَعَالَى عَنْهُ قَالَ: خَطَبَنَا رَسُولُ اللهِ ﷺ بِمِنًى وَهُوَ عَلَى رَاحِلَتِهِ، وَلُعَابُهَا يَسِيلُ عَلَى كَتِفِي. أَخْرَجَهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَصَحَّحَهُ.

**25.** Narrated 'Aisha[2] رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to wash the semen[3] and then go out for prayer in that (very) garment, and I could still see the trace of the washing on it. [Agreed upon]. In the version of Muslim: "I used to scrape it (the semen) off the garment of Allâh's Messenger (صلى الله عليه وسلم) and then he offered prayer with it." In yet another version of Muslim: "Verily! I ('Aisha) used to scrape it (the semen) off his garment with my nails while it was dry".

(٢٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَغْسِلُ المَنِيَّ ثُمَّ يَخْرُجُ إِلَى الصَّلَاةِ فِي ذَلِكَ الثَّوبِ وَأَنَا أَنْظُرُ إِلَى أَثَرِ الغَسْلِ فِيهِ. متفق عليه. ولمسلم: «لَقَدْ كُنْتُ أَفْرُكه مِنْ ثَوبِ رَسُولِ اللهِ ﷺ فَرْكاً، فَيُصلِّيْ فِيهِ. وَفِي لفظٍ لَهُ: «لَقَد كُنْتُ أَحُكُّهُ يَابِساً بِظُفرِي مِنْ ثَوْبِهِ».

**26.** Narrated Abû As-Samh[4] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The urine of a baby girl should be washed off and the urine of a baby boy should be sprinkled[5] (with

(٢٦) وَعَنْ أَبِي السَّمْحِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يُغْسَلُ مِنْ بَوْلِ الجَارِيَةِ، وَيُرَشُّ مِنْ بَوْلِ الغُلَامِ».

[1] From this *Hadîth* we come to know that the saliva of a *Halâl* [lawful to eat] animal is also pure. This *Hadîth* was approved by the Prophet صلى الله عليه وسلم.

[2] She is the daughter of Abû Bakr As-Siddiq and the Prophet صلى الله عليه وسلم married her 2 years before the *Hijra* in the month of Shawwâl, but wedded her in 1 H. at the age of 9 years. She was very learned and reported many *Ahâdith*. She died on 17 Ramadân 57 H. or 58 H. Abû Huraira رضي الله عنه offered her Funeral prayer and she was buried at at Al-Baqi'.

[3] There is a difference of opinion concerning the human semen, whether it is impure or not. Some religious elites consider it like saliva or nasal secretion, and according to others it is necessary to wash it. Former group gives its reason from the *Hadith* of scraping it when dried, and the latter group argues from the *Hadîth* of washing the semen. In fact, semen is impure and it must be cleaned by washing, scraping, rubbing or wiping. (See the book *Nail-ul-Autâr* by Imâm Shaukâni)

[4] His name is Iyyâd. He was a manumitted slave and servant of the Prophet صلى الله عليه وسلم. Ibn Abdul-Bar said that he was reported to be lost and nobody knew where he died at.

[5] It means that there is difference in the urine of a boy and a girl. In the suckling period, girl's urine is more impure than the boy's urine.

water)." [Reported by Abû Dâ'ud and An-Nasâ'i and Al-Hâkim graded it *Sahih* (sound)].

أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَه الحَاكِمُ.

**27.** Narrated 'Asmâ' bint Abû Bakr[1] رضي الله عنهما: The Prophet صلى الله عليه وسلم said regarding menstruation blood that smears a garment, "She should scrape it, rub it with water, then wash it and then she may pray in it". [Agreed upon].

(٢٧) وعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ فِي دَمِ الْحَيْضِ يُصِيبُ الثَّوْبَ: «**تَحُتُّهُ، ثُمَّ تَقْرُصُهُ بِالمَاءِ، ثُمَّ تَنْضَحُهُ، ثُمَّ تُصَلِّي فِيهِ**». مُتَّفَقٌ عَلَيهِ.

**28.** Narrated Abû Huraira رضي الله عنه: Khaula[2] said, "O Messenger of Allâh, suppose the (trace of) the blood does not go?" He said, "(Washing it with) water will suffice you and its trace won't harm you." [Reported by At-Tirmidhi, and its *Sanad* (chain of narrators) is weak].

(٢٨) وعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قال: قَالَتْ خَوْلَةُ: يَا رَسُولَ اللهِ! فَإِن لَمْ يَذْهَبِ الدَّمُ؟ قَالَ: «**يَكْفِيكِ المَاءُ، وَلاَ يَضُرُّكِ أَثَرُهُ**». أَخْرَجَهُ التِّرْمِذِيُّ، وَسَنَدُهُ ضَعِيفٌ.

## Chapter 4
## *WÛDU* (ABLUTION)

## ٤ - بَابُ الوُضُوءِ

**29.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Had I not feared burdening my *Ummah* (followers), I would have commanded them to use *Siwâk*[3] (stick toothbrush) before every *Salât* (prayer)." [Reported by Mâlik,

(٢٩) عَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه عن رسول الله ﷺ أَنَّهُ قَالَ: «**لَوْلاَ أَنْ أَشُقَّ عَلَى أُمَّتِي لأَمَرْتُهُمْ بِالسِّوَاكِ مَعَ كُلِّ وُضُوءٍ**». أَخْرَجَهُ مَالِكٌ وَأَحْمَدُ وَالنَّسَائِيُّ،

[1] She is the mother of 'Abdullâh bin Az-Zubair and the elder sister of 'Aisha. She became a Muslim very early in Makka and migrated to Al-Madîna. She died less than a month after the killing of her son Ibn Az-Zubair in 73H. at the age of about 100 years, yet she neither lost a tooth nor had any mental problem.

[2] Khaula bint Yasâr was a *Sahâbiya* and Abû Salama bin 'Abdur-Rahmân narrated the *Hadîth* from her.

[3] It means that the use of *Siwâk* (tooth cleaning stick from the tree or the toothbrush) with every ablution is *Sunna* [the way of the noble Prophet صلى الله عليه وسلم] and the *Hadith* reported by Muslim tells us that *Siwâk* should be used before every prayer. It means that if anybody is going to offer prayers with ablution performed previously, even then he should use the *Siwâk*. These *Ahâdith* prove extreme emphasis on the constant use of *Siwâk* for the cleaning of teeth. It is *Sunna* (supererogatory) and not *Wâjib* (compulsory).

Ahmad and An-Nasâ'i. Ibn Khuzaima graded it *Sahih* (sound) and Al-Bukhâri mentioned as a *Mu'allaq* (suspended — without its chain of narrators)].

وَصَحَّحَهُ ابْنُ خُزَيْمَةَ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقاً.

**30.** Narrated Humrân[1], the manumitted slave of 'Uthmân[2]: 'Uthmân رضي الله عنه called for water to perform ablution. He washed palms of his hands three times, then rinsed his mouth and sniffed water in his nose and then blew it out. He then washed his face three times. Thereafter he washed his right hand up to his elbow three times,[3] then the left one likewise, then he passed wet hands on his head. Then he washed his right foot up to the ankle three times, then the left one likewise. He then said, "I saw Allâh's Messenger صلى الله عليه وسلم performing ablution like this ablution of mine." [Agreed upon].

(٣٠) وعَنْ حُمْرَانَ مَوْلَى عُثْمَانَ رضي الله تعالى عنه: أَنَّ عُثْمَانَ دَعَا بِوَضُوءٍ فَغَسَلَ كَفَّيْهِ ثَلَاثَ مَرَّاتٍ، ثُمَّ تَمَضْمَضَ وَاسْتَنْشَقَ وَاسْتَنْثَرَ، ثُمَّ غَسَلَ وَجْهَهُ ثَلَاثَ مَرَّاتٍ، ثُمَّ غَسَلَ يَدَهُ الْيُمْنَى إِلَى الْمِرْفَقِ ثَلَاثَ مَرَّاتٍ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ، ثُمَّ مَسَحَ بِرَأْسِهِ، ثُمَّ غَسَلَ رِجْلَهُ الْيُمْنَى إِلَى الْكَعْبَيْنِ ثَلَاثَ مَرَّاتٍ، ثُمَّ الْيُسْرَى مِثْلَ ذَلِكَ، ثُمَّ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ تَوَضَّأَ نَحْوَ وُضُوئِي هَذَا. مُتَّفَقٌ عَلَيْهِ.

**31.** Narrated 'Ali[4] رضي الله عنه regarding the description of the ablution of the Prophet صلى الله عليه وسلم: He (the Prophet صلى الله عليه وسلم) wiped his head (with water) only once.[5] [Reported by Abû

(٣١) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِيْ صِفَةِ وُضُوءِ النَّبِيِّ ﷺ - قَالَ: وَمَسَحَ بِرَأْسِهِ وَاحِدَةً. أَخْرَجهُ أَبُو دَاوُدَ، وَأَخْرَجَهُ النَّسَائِيُّ

[1] Humrân bin Abân was caught by Khâlid bin Al-Walîd in a war during Abû Bakr's caliphate, and he sent him to serve 'Uthmân who freed him. He is trustworthy of the 2nd grade in the reporting of *Ahâdith*. He died in 75 H.

[2] The third Guided Caliph. He accepted Islam early and married Ruqaiya and then Umm Kulthum, daughters of the Prophet صلى الله عليه وسلم and was therefore nicknamed *Dhûn-Nûrain* (the possessor of the two lights, i.e. the daughters of the Prophet صلى الله عليه وسلم). He was killed as a martyr on Friday, 18th Dhul Hijja, 35 H.

[3] In this *Hadîth* washing of face, hands and feet is stated to be done three times each, whereas in others, two times and one time washing is regarded as enough. Imâm Nawawi has written the consensus of opinions that washing once is *Fard* (obligatory).

[4] The fourth Guided Caliph. He fought all the battles except Tabuk, for the Prophet صلى الله عليه وسلم had left him as incharge in Al-Madîna. An evil-doer called 'Abdur-Rahmân bin Muljam killed him as a martyr on Friday morning 17th Ramadân 40 H. at Kufa.

[5] It means that wiping of head (doing *Mash*) only once is obligatory.

Dâ'ud, An-Nasâ'i, At-Tirmidhi with a *Sahih Sanad* (authentic chain of narrators). At-Tirmidhi said, "It's the most sound *Hadîth* on this subject"].

وَالتِّرْمِذِيُّ بِإِسْنَادٍ صَحِيحٍ، بَلْ قَالَ التِّرْمِذِيُّ: إِنَّهُ أَصَحُّ شَيْءٍ فِي الْبَابِ.

**32.** Narrated 'Abdullâh bin Zaid bin 'Aasim[1] رضي الله عنه describing the nature of ablution performance: Allâh's Messenger صلى الله عليه وسلم wiped his head from the forehead to the back of his head and then back to the forehead[2] with his (wet) hands. [Agreed upon].

(٣٢) وعَنْ عَبْدِ اللهِ بْنِ زَيْدِ بْنِ عَاصِمٍ رضي الله تعالى عنه - فِيْ صِفَةِ الْوُضُوءِ - قَالَ: وَمَسَحَ رَسُولُ اللهِ ﷺ بِرَأْسِهِ فَأَقْبَلَ بِيَدَيْهِ وَأَدْبَرَ. مُتَّفَقٌ عَلَيْه.

And in another version of theirs: "He began from the front of his head and took them (his wet hands) to the back of his head and then returned them to the place he had begun from."

وَفِيْ لَفْظٍ لَهُمَا: بَدَأَ بِمُقَدَّمِ رَأْسِهِ حَتَّى ذَهَبَ بِهِمَا إِلَى قَفَاهُ، ثُمَّ رَدَّهُمَا حَتَّى رَجَعَ إِلَى الْمَكَانِ الَّذِيْ بَدَأَ مِنْهُ.

**33.** Narrated Abdullâh bin 'Amr[3] رضي الله عنهما regarding the description of the ablution: "Then he (Allâh's Messenger صلى الله عليه وسلم ) wiped his head, inserted his index finger in his ears and wiped the exterior of his ears with his thumbs."[4] [Reported by Abû Dâ'ud and An-Nasâ'i and Ibn Khuzaima graded it *Sahih* (sound)].

(٣٣) وعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رضي الله تعالى عنهما، فِيْ صِفَةِ الْوُضُوءِ قَالَ: ثُمَّ مَسَحَ ﷺ بِرَأْسِهِ وَأَدْخَلَ إِصْبَعَيْهِ السَّبَّاحَتَيْنِ فِيْ أُذُنَيْهِ، وَمَسَحَ بِإِبْهَامَيْهِ عَلَى ظَاهِرِ أُذُنَيْه. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَه ابْنُ خُزَيْمَةَ.

**34.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you wakes up from his

(٣٤) وعَنْ أَبِيْ هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا اسْتَيْقَظَ

---

[1] He was an *Ansâri* belonging to Bani Mâzin from An-Najâr clan. He fought at Uhud and killed Musailima Al-Kadhdhâb together with Wahshi on Al-Yamâma Day. He was killed on the day of Al-Harrah in 63 H.

[2] This *Hadîth* tells us that *Mash* (wiping) of head should be started from the front.

[3] He is the son of 'Amr bin Al'-Aas Al-Qurashi. He became a Muslim before his father who was older than him by 13 years. He was an *'Aalim* (learned), memorized *Ahadith* and was very pious. He died in the 63 H. or 70 H.

[4] It means that ears are to be wiped internally and externally. The side close to the head is external and near the face is internal. Tirmidhi after narrating the *Hadith* concerning wiping of ears internally and externally, says that religious scholars follow the same practice.

sleep, he must blow off his nose three times, for the Satan spends the night inside one's nostrils."[1] [Agreed upon].

أَحَدُكُمْ مِنْ مَنَامِهِ فَلْيَسْتَنْثِرْ ثَلاثاً، فَإِنَّ الشَّيْطَانَ يَبِيتُ عَلَى خَيْشُومِهِ». مُتَّفَقٌ عَلَيْهِ.

**35.** Narrated (Abû Huraira) رضي الله عنه: (Allâh's Messenger صلى الله عليه وسلم said,) "When one of you wakes up from his sleep, he must not put his hand in a utensil till he has washed it three times,[2] for he does not know where his hand was (while he slept)." [Agreed upon. This is Muslim's version].

(٣٥) وعَنْهُ: «إِذَا اسْتَيْقَظَ أَحَدُكُمْ مِنْ نَوْمِهِ فَلاَ يَغْمِسْ يَدَهُ فِي الإِنَاءِ حَتَّى يَغْسِلَهَا ثَلاثاً، فَإِنَّهُ لا يَدْرِي أَيْنَ بَاتَتْ يَدُهُ». مُتَّفَقٌ عَلَيْهِ، وَهَذَا لَفْظُ مُسْلِمٍ.

**36.** Narrated Laqit bin Sabra رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Perform a perfect *Wudu* (ablution), run (your fingers) through the fingers of the hands and the toes,[3] and if not fasting, sniff water up well inside the nose." [Reported by *Al-Arba'a*,[4] and Ibn Khuzaima graded it *Sahih* (sound)]. In another version of Abû Dâ'ud is: "If you perform ablution rinse your mouth."

(٣٦) وعَنْ لَقِيطِ بْنِ صَبِرَةَ رَضِيَ اللَّهُ تَعالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَسْبِغِ الوُضُوءَ، وَخَلِّلْ بَيْنَ الأَصَابِعِ، وَبَالِغْ فِي الاسْتِنْشَاقِ إِلاَّ أَنْ تَكُونَ صَائِماً». أَخْرَجَهُ الأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ. وَلأَبِي دَاوُدَ فِي رِوَايَةٍ: «إِذَا تَوَضَّأْتَ فَمَضْمِضْ».

**37.** Narrated 'Uthmân رضي الله عنه: While performing *Wudu*, the Prophet صلى الله عليه وسلم would run (his) fingers through his beard.[5] [Reported by

(٣٧) وعَنْ عُثْمَانَ رضي الله تعالى عنه: أَنَّ النَّبِيَّ ﷺ كَانَ يُخَلِّلُ لِحْيَتَهُ فِي الوُضُوءِ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

---

[1] Spending the night of Satan inside the nostrils of a man is plausible, but its actual state is better known to Allâh and His Messenger. May be this is a figurative expression, because bad excretions gather in the nose and cause laziness, indolence, slackness and negligence. All these states are satanic dispositions.

[2] It means that hands should not be dipped in the ablution water container, as the word 'ablution' is present in some of the *Ahâdith* narrated by Bukhâri. Allamah Ibn Hajar, in his book *Fath Al-Bâri*, says: Though this *Hadith* apparently seems to be related with the utensils of ablution but it includes all other utensils and bathing water containers. But if there is a big pool or tank of water then it is permissible to put hands in it.

[3] It means that the fingers of hands and feet should be washed completely and carefully.

[4] Abu Dâ'ud, Tirmidhi, Nasâ'i and Ibn Mâjah.

[5] During the performance of ablution, combing of beard with fingers is *Sunna*

At-Tirmidhi, and Ibn Khuzaima graded it *Sahih* (sound)].

**38.** Narrated 'Abdullâh bin Zaid رضي الله عنه: Two-thirds of a *Mudd*[1] (of water) was brought to the Prophet صلى الله عليه وسلم (for ablution) so he began rubbing his arms. [Reported by Ahmad, and Ibn Khuzaima graded it *Sahih* (sound)].

(٣٨) وَعَنْ عَبْدِ اللهِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ أُتِيَ بِثُلُثَي مُدٍّ فَجَعَلَ يَدْلُكُ ذِرَاعَيْهِ. أَخْرَجَهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**39.** Narrated ('Abdullâh bin Zaid) رضي الله عنه: He saw the Prophet صلى الله عليه وسلم taking some water to wipe his ears other than the water he had taken to wipe his head. [Reported by Al-Baihaqi, who said that its *Isnâd* (chain of narrators) is authentic, At-Tirmidhi also graded it *Sahih* (sound)].

(٣٩) وعَنْهُ: أَنَّهُ رَأَى النَّبِيَّ ﷺ يَأْخُذُ لِأُذُنَيْهِ مَاءً خِلَافَ الْمَاءِ الَّذِي أَخَذَهُ لِرَأْسِهِ. أَخْرَجَهُ الْبَيْهَقِيُّ، وَقَالَ: إِسْنَادُهُ صَحِيحٌ، وَصَحَّحَهُ التِّرْمِذِيُّ أَيْضاً.

And the words of the Muslim version are: "he wiped his head taking extra water from that he had taken for the washing of the hands," and this *Hadîth* is *Al-Mahfuz*.

وَهُوَ عِنْدَ مُسْلِمٍ مِنْ هَذَا الْوَجْهِ بِلَفْظِ: وَمَسَحَ بِرَأْسِهِ بِمَاءٍ غَيْرِ فَضْلِ يَدَيْهِ. وَهُوَ الْمَحْفُوظُ.

**40.** Narrated Abû Huraira رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "My people will come on the Day of Resurrection with bright faces, hands and feet from the traces of *Wudu* (ablution). If any of you can lengthen his brightness,[2] let him do

(٤٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ أُمَّتِي يَأْتُونَ يَوْمَ الْقِيَامَةِ غُرًّا مُحَجَّلِينَ مِنْ أَثَرِ الْوُضُوءِ، فَمَنِ اسْتَطَاعَ مِنْكُمْ أَنْ يُطِيلَ غُرَّتَهُ

---

(supererogatory) and not *Wâjib* (compulsory).

[1] In some *Ahâdîth*, a full *Mudd* (مد) has been mentioned. One *Mudd* is a little more than six hundred grams. This is the least quantity of water mentioned for ablution, otherwise it will be very difficult to perform ablution with small amount of water. Maximum limit of water has not been ordained, any amount of water may be used for ablution and bath, but water should not be wasted.

[2] It may have more than one meanings. It may mean washing of limbs more than the minimum limits, for example, washing of hands up to shoulders and washing of feet up to knees; Abû Huraira رضي الله عنه assumes this meaning. It may also mean that every limb should be washed three times, instead of washing it for one time — the minimun limit for

so." [Agreed upon and this is Muslim's version].

فَلْيَفْعَلْ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**41.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم loved to begin with the right while putting on his shoes, combing his hair, in his purification and in all his affairs.[1] [Agreed upon].

(٤١) وعَنْ عَائِشَةَ رَضِيَ اللهُ تعالى عنها قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُعْجِبُهُ التَّيَمُّنُ فِي تَنَعُّلِهِ وَتَرَجُّلِهِ وَطُهُورِهِ، وَفِي شَأْنِهِ كُلِّهِ. مُتَّفَقٌ عَلَيْهِ.

**42.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When you perform ablution, begin with your right limbs." [Reported by *Al-Arba'a*[2] and graded *Sahih* (sound) by Ibn Khuzaima].

(٤٢) وعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَوَضَّأْتُمْ فَابْدَءُوا بِمَيَامِنِكُمْ». أَخْرَجَهُ الْأَرْبَعَةُ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**43.** Narrated Al-Mughira bin Shu'ba[3] رضي الله عنه: The Prophet صلى الله عليه وسلم performed ablution and passed wet hands on his forelock, over the turban and over the two leather socks.[4] [Reported by Muslim].

(٤٣) وعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رضي الله تعالى عنه، أَنَّ النَّبِيَّ ﷺ تَوَضَّأَ فَمَسَحَ بِنَاصِيَتِهِ وَعَلَى الْعِمَامَةِ وَالْخُفَّيْنِ. أَخْرَجَهُ مُسْلِمٌ.

**44.** Narrated Jâbir bin 'Abdullâh[5] رضي الله عنهما regarding the *Hajj* (pilgrimage)

(٤٤) وعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رضي الله

washing. It may also mean to perform ablution again and again or to remain with ablution all the time.

[1] This mode of action of the noble Prophet صلى الله عليه وسلم was for noble actions, for other actions like coming out of mosque and entering a toilet etc., one should put his left feet first.

[2] Abû Dâ'ud, Tirmidhi, Nasâ'i and Ibn Mâjah.

[3] Abû 'Abdullah or Abû 'Iesa, Al-Mughira bin Shu'ba bin Mas'ûd Ath-Thaqafi was a prominent *Sahâbi*. He became a Muslim in the year of the *Khandaq* (trench) and migrated. He first participated in Al-Hudaibiya. He died in 50 H. in Kûfa.

[4] This *Hadith* makes it clear that wiping over turban (cap) is also correct. There are two forms of it. First, to wipe partly on the turban and partly on the head. There is no difference of opinion on this form of action. Secondly, to wipe only on turban. There is a difference of opinion on this, but this is also proved by *Sahih Hadith* narrated by Tirmidhi.

[5] Jâbir was an *Ansâri* from Sulami clan and he was nicknamed Abû 'Abdullâh. He was among the eminent *Sahâba*. He fought at Badr though some said that he did not witness neither Badr nor Uhud, but took part in those battles that followed them. He was also at Siffin. He was among the memorizers of many *Ahâdith*. He became blind towards the end of his life, and died in 74 H. at the age of 94 years. It is reported that he was the last *Sahâbi* to die at Al-Madina.

of the Prophet صلى الله عليه وسلم: He (صلى الله عليه وسلم) said, "Begin with what Allâh had begun with."[1] [Reported by An-Nasâ'i in this commanding version while Muslim has reported it in the reporting[2] one].

تعالى عنهما - فِي صِفَةِ حَجِّ النَّبِيِّ ﷺ - قَالَ ﷺ: «ابْدَءُوا بِمَا بَدَأَ اللَّهُ بِهِ». أَخْرَجَهُ النَّسَائِيُّ هَكَذَا بِلَفْظِ الْأَمْرِ، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ الْخَبَرِ.

**45.** Narrated (Jabir bin 'Abdullâh) رضي الله عنهما: The Prophet صلى الله عليه وسلم used to run the water down his elbows while performing ablution. [Reported by Ad-Dâraqutni with a weak chain of narrators].

(٤٥) وعَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا تَوَضَّأَ أَدَارَ الْمَاءَ عَلَى مِرْفَقَيْهِ. أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**46.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There is no *Wudu* (ablution) for one who does not mention Allâh's Name upon it[3]."[Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah with a weak chain of narrators]. At-Tirmidhi reported something similar to the above from Sa'îd bin Zaid[4], and Abû Sa'îd like this, and Ahmad said that nothing is authenticated in it].

(٤٦) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا وُضُوءَ لِمَنْ لَمْ يَذْكُرِ اسْمَ اللَّهِ عَلَيْهِ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَه بِإِسْنَادٍ ضَعِيفٍ. وَالتِّرْمِذِيُّ عَنْ سَعِيدِ بْنِ زَيْدٍ وَأَبِي سَعِيدٍ نَحْوَهُ. وَقَالَ أَحْمَدُ: لَا يَثْبُتُ فِيهِ شَيْءٌ.

**47.** Narrated Talha bin Musarrif,[5] quoting his father on the authority of

(٤٧) وعَنْ طَلْحَةَ بْنِ مُصَرِّفٍ، عَنْ أَبِيهِ

[1] Noble Qur'ân has mentioned As-Safa in the first place among As-Safa and Al-Marwa. The noble Prophet صلى الله عليه وسلم started *Sa'i* (running between the Safa and Marwa during *Hajj* and *'Umrah*) from the Safa side, so start ablution in the same manner, starting from washing of the face, then hands up to elbows; then wipe the head and wash the feet.

[2] In this *Hadîth* the word بدأ has been used in Arabic text, in the sense of giving information instead of order.

[3] In this regard, there exist contradictory *Ahâdîth* which indicate opposing views about saying بسم الله before performing ablution. Correct answer of this issue is to say - بسم الله is *Sunna*.

[4] He is Sa'îd bin Zaid bin 'Amr Al-Qurashi, nicknamed Abû Al-A'war and is one of the ten who were promised Paradise. He accepted Islam very early and was married to Fatima, the sister of 'Umar, and they were both instrumental to 'Umar becoming a Muslim. He fought all the battles except Badr, because he was away looking for the caravan. He died in 51 H. and was buried at Al-Baqi'.

[5] He is Abû Muhammad or Abû 'Abdullâh Talha bin Musarrif. He was a reliable *Tâbi'i* (see glossary) of the 5th grade. He was a righteous reciter of the Qur'ân, and died in 112 H. His father Musarrif is unknown and that has made this *Hadith Da'if*.

his grandfather[1]: "I saw Allâh's Messenger صلى الله عليه وسلم rinsing his mouth and sniffing up and blowing his nose with separate scoops[2] of water." [Reported by Abû Dâ'ud with a weak chain of narrators].

عَنْ جَدِّهِ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَفْصِلُ بَيْنَ الْمَضْمَضَةِ وَالاسْتِنْشَاقِ. أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ ضَعِيفٍ.

**48.** Narrated 'Ali رضي الله عنه regarding performance of *Wudu* (ablution): The Prophet صلى الله عليه وسلم rinsed his mouth and sniffed and blew (his nose) with water three times. He sniffed up and blew his nose with the same hand from which he took the water. [Reported by Abû Dâ'ud and An-Nasâ'i].

(٤٨) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي صِفَةِ الْوُضُوءِ -: ثُمَّ تَمَضْمَضَ ﷺ وَاسْتَنْثَرَ ثَلَاثًا، يُمَضْمِضُ وَيَنْثُرُ مِنَ الْكَفِّ الَّذِي يَأْخُذُ مِنْهُ الْمَاءَ. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

**49.** Narrated 'Abdullâh bin Zaid رضي الله عنه regarding *Wudu* (ablution): The Prophet صلى الله عليه وسلم put his hand (in the utensil) rinsed (his mouth) and sniffed up and blew (his nose) from one scoop (of water). He did that three times. [Agreed upon].

(٤٩) وَعَنْ عَبْدِ اللهِ بْنِ زَيْدٍ رضي الله تعالى عنه - فِي صِفَةِ الْوُضُوءِ -: ثُمَّ أَدْخَلَ ﷺ يَدَهُ فَمَضْمَضَ وَاسْتَنْشَقَ مِنْ كَفٍّ وَاحِدٍ، يَفْعَلُ ذَلِكَ ثَلَاثًا. مُتَّفَقٌ عَلَيْهِ.

**50.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم saw a man on whose foot appeared a portion like the size of a nail which was not touched by water. He then said, "Go back and perform your *Wudu* (ablution) properly.[3]" [Reported by Abû Dâ'ud and An-Nasâ'i].

(٥٠) وَعَنْ أَنَسٍ رضي الله تعالى عنه قَالَ: رَأَى النَّبِيُّ ﷺ رَجُلًا وَفِي قَدَمِهِ مِثْلُ الظُّفُرِ لَمْ يُصِبْهُ الْمَاءُ، فَقَالَ: «ارْجِعْ فَأَحْسِنْ وُضُوءَكَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

---

[1] He is called Ka'b bin 'Amr or 'Amr bin Ka'b bin Juhdub Al-Yâmi — descending from a Yamani tribe called Yâm of Hamadân. Ibn 'Abdul-Bâr said he (Ka'b) settled in Kufa and is a *Sahâbi*.

[2] It means that the noble Prophet صلى الله عليه وسلم used to take water separately for cleaning the nose and rinsing the mouth. According to the author, this *Hadîth* is *Da'if* (weak). According to Al-Bukhâri and Muslim, the noble Prophet صلى الله عليه وسلم used a single handful of water for cleaning the nose and rinsing the mouth. Imâm Nawawi has stated its five forms and regarded sound the one, Al-Bukhâri and Muslim has stated.

[3] This *Hadîth* makes it clear that washing of the whole foot is obligatory. In a *Hadîth* recorded by Muslim, it is stated that it is Fire for that part of the foot which is dry. In this *Hadîth*, there is repudiation for those who consider the *Mash* (wiping) of foot as proper and acceptable; or those who consider the *Mash* (wiping) and *Ghusl* (washing) both compulsory; or those who consider *Mash* and *Ghusl* both permissible.

**51.** Narrated (Anas) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used only one *Mudd*[1] of water for ablution and one *Sa'*[2] to five *Mudd* of water for his bath. [Agreed upon].

(٥١) وعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَتَوَضَّأُ بِالمُدِّ، وَيغْتَسِلُ بِالصَّاعِ إِلَى خَمْسَةِ أَمْدَادٍ. مُتَّفَقٌ عَلَيْهِ.

**52.** Narrated 'Umar[3] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one after performing ablution completely recites the following supplication: (*Ash-hadu an lâ ilâha ill-Allâhu wahdahu lâ sharika lahu, wa ash-hadu anna Muhammadan 'abduhu wa Rasûluhu*) 'I testify that there is no one worthy of worship but Allâh, He is Alone and has no partner and Muhammad is His slave and Messenger,' all the eight gates of Paradise will be opened for him and he may enter through any gate he wishes." [Reported by Muslim and At-Tirmidhi who added the following words to the supplication: (*Allâhumma aj'alni minat-tawwabina waj'alni minAl-mutatahhirina*) "Oh Allâh! Include me among those who repent and those who keep themselves pure"].

(٥٢) وعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْكُمْ مِنْ أَحَدٍ يَتَوَضَّأُ فَيُسْبِغُ الوُضُوءَ، ثُمَّ يَقُولُ: أَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ، وَحْدَهُ لاَ شَرِيكَ لَهُ، وأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ، إِلاَّ فُتِحَتْ لَهُ أَبْوَابُ الجَنَّةِ». أَخْرَجَهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَزَادَ: «اللَّهُمَّ اجْعَلْنِي مِنَ التَّوَّابِيْنَ وَاجْعَلْنِيْ مِنَ الْمُتَطَهِّرِيْنَ».

## Chapter 5
## *MASH* (WIPING) OVER *KHUFFAIN* (TWO LEATHER SOCKS)

## ٥ - بَابُ الْمَسْحِ عَلَى الْخُفَّيْنِ

**53.** Narrated Mughira bin Shu'ba رضي الله عنه: Once I was in the company of

(٥٣) عَنِ الْمُغِيْرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ

[1] One *Mudd* (مد) is equal to six hundred grams approx., and one *Sa'* (صاع) is equal to a little more than two and a half kilograms, and this is the least quantity to be used. It means that one should be very careful in the use of water.

[2] One *Sa'* is equivalent to 4 *Mudd* or 2660 grams.

[3] The second Guided Caliph who was unique throughout history. He filled the world with wisdom, justice and conquests. He was Quraish's ambassador during the *Jahiliya* (ignorance) period. He accepted Islam in Dhul Hijja, the 6th year of the Prophethood and fought all the battles. He made conquests in Iraq, Persia, Shâm, Egypt and other places. He was killed by Abû Lu'lu'a, a slave of Al-Mughira bin Shu'ba and died as a martyr on 1st Muharram 24H.

تَعَالَى عَنْهُ قَالَ: كُنْتُ مَعَ النَّبِيِّ ﷺ، فَتَوَضَّأَ فَأَهْوَيْتُ لِأَنْزِعَ خُفَّيْهِ، فَقَالَ: «دَعْهُمَا فَإِنِّي أَدْخَلْتُهُمَا طَاهِرَتَيْنِ» فَمَسَحَ عَلَيْهِمَا. مُتَّفَقٌ عَلَيْهِ.

the Prophet صلى الله عليه وسلم, he then performed ablution and I dashed to take off his socks (*Khuffain*). He said, "Leave them for I had put them on after performing ablution.[1]" So he wiped over them. [Agreed upon].

(٥٤) وللأَرْبَعَةِ عَنْهُ إِلَّا النَّسَائِيَّ: أَنَّ النَّبِيَّ ﷺ مَسَحَ أَعْلَى الْخُفِّ وَأَسْفَلَهُ. وَفِي إِسْنَادِهِ ضَعْفٌ.

**54.** Narrated by *Al-Arba'a* except An-Nasâ'i: The Prophet صلى الله عليه وسلم wiped over the upper part of the leather socks and the under part of it. [In its chain of narrators there is weakness].

(٥٥) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَوْ كَانَ الدِّينُ بِالرَّأْيِ لَكَانَ أَسْفَلُ الْخُفِّ أَوْلَى بِالْمَسْحِ مِنْ أَعْلَاهُ، وَقَدْ رَأَيْتُ رَسُولَ اللَّهِ ﷺ يَمْسَحُ عَلَى ظَاهِرِ خُفَّيْهِ. أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

**55.** Narrated 'Ali رضي الله عنه: If the religion were based on opinion,[2] it would be more important to wipe over the under parts of the leather socks than the upper, but I have seen Allâh's Messenger صلى الله عليه وسلم wiping over the upper parts of his leather socks. [Reported by Abu Dâ'ud with good *Isnâd* (chain of narrators)].

(٥٦) وَعَنْ صَفْوَانَ بْنِ عَسَّالٍ رضي

**56.** Narrated Safwan bin 'Assâl[3] رضي الله عنه: When we were on a journey,[4]

[1] *Mash* (wiping) over the socks is conditioned. One should have put on the socks after performing ablution, if socks have been worn without performing an ablution then wiping over the socks is not permissible.

[2] It means that the religious commands and prohibitions are based on Revelation and not on prudence. One cannot accept or reject the orders on their comprehension or incomprehension. It does not mean that the commands and prohibitions of religion are against the intellect and wisdom. It also proves that in the presence of a *Sahih* (authentic and sound) *Hadîth*, giving a verdict against it is not allowed, that is why it has been clarified in Islamic Jurisprudence and its principles.

[3] Safwân bin 'Assâl Al-Murâdi Al-Jumali was a well-known *Sahâbi* who had accompanied the Prophet صلى الله عليه وسلم in twelve *Ghazwât* (expeditions). He settled at Kufa and it is said that among the *Sahâba,* only 'Abdullâh bin Mas'ûd reported a *Hadîth* from him.

[4] *Mash* (wiping) over the socks is right, and permitted by *Ahadîth*. There are more than eighty (80) Companions of the noble Prophet صلى الله عليه وسلم who have narrated and spoke about this topic. *'Ashra-e-Mubashshara* (عشرة مبشرة — ten most pious companions of the noble Prophet صلى الله عليه وسلم who were given the glad tiding of Paradise in this world) are also included in the list of reporters. Ibn 'Abdul-Barr has related the consensus of opinion concerning this issue.

the Prophet صلى الله عليه وسلم used to command us to wear our leather socks for three days and three nights,[1] whether we had to answer the call of nature or slept. However, in case of ejaculation or sexual impurity, he commanded us to remove the leather socks. [Reported by An-Nasâ'i and At-Tirmidhi, version is of the latter. With them Ibn Khuzaima graded it *Sahih* (sound)].

الله تعالى عنه قال: كَانَ النَّبِيُّ ﷺ يَأْمُرُنَا إِذَا كُنَّا سَفْراً أَن لاَّ نَنْزِعَ خِفَافَنَا ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ إِلاَّ مِنْ جَنَابَةٍ، وَلَكِنْ مِنْ غَائِطٍ وَبَوْلٍ وَنَوْمٍ. أَخْرَجَهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَاللَّفْظُ لَهُ، وَابْنُ خُزَيْمَةَ وَصَحَّحَاهُ.

**57.** Narrated 'Ali رضي الله عنه: The Prophet صلى الله عليه وسلم fixed the period of *Mash* (wiping) over the leather socks (*Khifâf* — plural of *Khuff*) for three days and nights for a traveller and one day and a night for the resident person in a town [Reported by Muslim].

(٥٧) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَعَلَ النَّبِيُّ ﷺ ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ لِلْمُسَافِرِ، وَيَوْماً وَلَيْلَةً لِلْمُقِيمِ، يَعْنِي فِي الْمَسْحِ عَلَى الْخُفَّيْنِ. أَخْرَجَهُ مُسْلِمٌ.

**58.** Narrated Thawbân[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم sent out a military expedition and commanded them to wipe over the turbans[3] and leather socks. [Reported by Ahmad and Abû Dâ'ud. Al-Hâkim graded it *Sahih* (sound)].

(٥٨) وَعَنْ ثَوْبَانَ رضي الله تعالى عنه قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ سَرِيَّةً فَأَمَرَهُمْ أَنْ يَمْسَحُوا عَلَى الْعَصَائِبِ، يَعْنِي الْعَمَائِمَ، وَالتَّسَاخِينِ، يَعْنِي الْخِفَافَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**59.** Narrated 'Umar رضي الله عنه in a *Mawqûf* (untraceable) and Anas in a *Marfû'* (traceable) *Hadîth*: "If one of

(٥٩) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مَوْقُوفاً، وَأَنَسٍ مَرْفُوعاً: «إِذَا تَوَضَّأَ أَحَدُكُمْ

[1] It means that *Mash* (wiping) is allowed for a traveller up to three days and for a resident up to thirty-four hours. The time period for *Mash* starts from the nullification of ablution and not from the time of wearing the socks. The way of carrying out *Mash* ( مسح — wiping ) is to soak the hands with water and starting from the fingers, drawing it up to the calf of the leg. After the completion of permitted time and by passing of the wind, urine, etc., *Mash* nullifies, and is also cancelled by all those things which cancel or nullify the ablution.

[2] He is Thaubân bin Bujdud bin Jahdar, who was nicknamed Abû 'Abdullâh. He was an inhabitant of As-Surât which is a place between Makka and Al-Madîna. It was also said that he was from Himyar. He stayed with the Prophet صلى الله عليه وسلم throughout his life, then settled in Shâm and later on moved to Hims, in which he died in 54 H.

[3] In Arabic text the word *'Asâ'ib* ( عصائب ) stands for a bandage which is used for dressing of wounds; or in case of broken leg or arm, over the wooden strips around the broken bone.

you performs ablution and puts on his two leather socks, let him perform *Mash* (wipe) over them (with water) and pray in them, and he may not take them off if he so wishes[1] except after ejaculation or sexual impurity. [Reported by Ad-Dâraqutni and Al-Hâkim and graded *Sahih* (sound) by him].

وَلْبِس خُفَّيْهِ فَلْيَمْسَحْ عَلَيْهِمَا، وَلْيُصَلِّ فِيهِمَا، وَلاَ يَخْلَعْهُمَا إِنْ شَاءَ إِلاَّ مِنْ جَنَابَةٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ وَالْحَاكِمُ وَصَحَّحَهُ.

**60.** Narrated Abû Bakra[2] رضي الله عنه: The Prophet صلى الله عليه وسلم gave permission for the traveller to perform *Mash* (wiping) over his leather socks for three days and nights and for a non-traveller for a day and a night, if he had put them on in a state of purity. [Reported by Ad-Dâraqutni, and graded *Sahih* (sound) by Ibn Khuzaima].

(٦٠) وعَنْ أَبِي بَكْرَةَ رَضِيَ الله تعالى عنه عَنِ النَّبِيِّ ﷺ، أَنَّهُ رَخَّصَ لِلْمُسَافِرِ ثَلاَثَةَ أَيَّامٍ وَلَيَالِيَهُنَّ، وَلِلْمُقِيمِ يَوْماً وَلَيْلَةً، إِذَا تَطَهَّرَ فَلَبِسَ خُفَّيْهِ، أَنْ يَمْسَحَ عَلَيْهِمَا. أَخْرَجَهُ الدَّارَقُطْنِيُّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**61.** Narrated Ubai bin 'Imâra[3] رضي الله عنه: I asked, "O Messenger of Allâh, may I wipe over the *Khuffain* (leather socks)?" The Prophet صلى الله عليه وسلم replied, "Yes". I asked, "For one day?" He replied, "For one day". I again asked, "And for two days?" He replied, "For two days too". I again asked, "And for three days?" He replied, "Yes, as long as you wish".[4]

(٦١) وعَنْ أُبَيِّ بْنِ عِمَارَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! أَمْسَحُ عَلَى الْخُفَّيْنِ؟ قَالَ: نَعَمْ، قَالَ: يَوْماً؟ قَالَ: نَعَمْ، قَالَ: وَيَوْمَيْنِ؟ قَالَ: نَعَمْ، قَالَ: وَثَلاَثَةَ أَيَّامٍ؟ قَالَ: نَعَمْ، وَمَا شِئْتَ. أَخْرَجَهُ أَبُو دَاوُدَ، وَقَالَ: لَيْسَ بِالْقَوِيِّ.

[1] 'If he so wishes' means within the permitted time for *Mash* (wiping). After the completion of *Mash* time, it is a must to take off the socks and perform ablution afresh and wash the feet too and put on the socks again, then the time for *Mash* will start anew.

[2] His name is Nufai' bin Al-Hârith or bin Al-Masrûh. He descended from Tâ'if Fort together with a group of slaves and became a Muslim, whereupon the Prophet صلى الله عليه وسلم freed him. He was among the virtuous *Sahâba* and died at Basra in 51 H. or 52 H.

[3] Ubai bin 'Imâra was a *Sahâbi* from the *Ansâr* of Al-Madîna. He settled in Egypt. Ibn Hibbân said, "He prayed to the two *Qiblah*, but I do not take his report as a complete chain of narrators."

[4] *Sanad* ( سند — transmitted chain ) of this *Hadîth* is not sound. That *Hadîth* in which the period of one day (twenty-four hours) for a resident and three days for a traveller is granted, is sound.

[Reported by Abû Dâ'ud, who said, "It is not strong."[1]]

## Chapter 6 THE NULLIFICATION[2] OF *WUDU* (ABLUTION)

## ٦ - بَابُ نَوَاقِضِ الْوُضُوءِ

**62.** Narrated Anas رضي الله عنه: The Companions of Allâh's Messenger صلى الله عليه وسلم in his lifetime used to wait for the *'Ishâ'* (night) prayer, so much so that their heads were lowered down (by dozing)[3]. They would then pray without performing ablution.[4] [Reported by Abû Dâ'ud and Ad-Dâraqutni graded it *Sahih* (sound). Its origin is in Muslim].

(٦٢) عَنْ أَنَسٍ رضي الله تعالى عنه قَالَ: كَانَ أَصْحَابُ رَسُولِ اللهِ ﷺ عَلَى عَهْدِهِ يَنْتَظِرُونَ الْعِشَاءَ. حَتَّىٰ تَخْفِقَ رُءُوسُهُم، ثُمَّ يُصَلُّونَ وَلَا يَتَوَضَّئُونَ. أَخْرَجَهُ أَبُو دَاوُدَ وَصَحَّحَهُ الدَّارَقُطْنِيُّ، وَأَصْلُه فِي مُسْلِمٍ.

**63.** Narrated 'Aisha رضي الله عنها: Fâtima bint Abû Hubaish[5] came to the Prophet صلى الله عليه وسلم and said, "O Messenger of Allâh, I am a woman whose blood keeps flowing (even after the menstruation period).[6] I am never purified; should I, therefore, stop praying?" He (the Prophet) said,

(٦٣) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: جَاءَتْ فَاطِمَةُ بِنْتُ أَبِي حُبَيْشٍ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: يَا رَسُولَ اللهِ! إِنِّي امْرَأَةٌ أُسْتَحَاضُ فَلَا أَطْهُرُ، أَفَأَدَعُ الصَّلَاةَ؟ قَالَ: «لَا، إِنَّمَا ذَلِكِ عِرْقٌ وَلَيْسَ بِحَيْضٍ، فَإِذَا

---

[1] This *Hadîth* was not taken as an evidence for its weakness and for contradicting the sound and good *Hadîth* that fixed the durations. An-Nawawi has mentioned in *Sharh Al-Muhadhdhab* that the *Imâm* have agreed on the weakness of this *Hadîth* and Ahmad said, "Its narrators are unknown."

[2] All those causes which invalidate the *Wudu* (ablution) also invalidate the *Tayammum* (purification with clean soil in case the water is not available).

[3] It proves that ablution is not cancelled by dozing.

[4] Sleep invalidates the ablution or not, is a controversial issue. In this matter final decision is that with a sound sleep ablution is nullified, otherwise not.

[5] Fâtima bint Abû Hubaish is a *Sahâbiya* from Quraish and then Asad. Her father is Qais bin 'Abdul-Muttalib bin Asad bin 'Abdul-'Uzza bin Qusai. She was a renowned *Muhajira* and was married to 'Abdullah bin Jahsh.

[6] Vaginal bleeding is of three types: 1) *Haid* (حيض) — Blood of regular monthly menstrual course which starts at the age of puberty. This type of blood ceases during the period of pregnancy. 2) *Nifâs* (نفاس) — Puerperal blood coming after the childbirth, it lasts maximum for forty days. 3) *Istihâda* (استحاضة) — The blood which may happen to come differently from the above two types. Here it means the last mentioned.

"No, for that is only a vein, and is not menstruation. So when the menstruation comes, abstain from prayers, and when it ends, wash the blood from your self and then pray." [Agreed upon].

أَقْبَلَتْ حَيْضَتُكِ فَدَعِي الصَّلَاةَ، وإِذَا أَدْبَرَتْ فَاغْسِلِي عَنْكِ الدَّمَ ثُمَّ صَلِّي». مُتَّفَقٌ عَلَيْهِ.

Al-Bukhâri's version adds: "Then perform ablution for every prayer,"[1] and Muslim admitted that he dropped this addition deliberately.

وَلِلْبُخَارِيِّ: «ثُمَّ تَوَضَّئِي لِكُلِّ صَلَاةٍ». وَأَشَارَ مُسْلِمٌ إِلَى أَنَّهُ حَذَفَهَا عَمْداً.

**64.** Narrated 'Ali bin Abi Tâlib رضي الله عنه: I was one whose *Madhi* (urethral discharge)[2] flowed readily and asked Miqdâd[3] to ask the Prophet صلى الله عليه وسلم about it. He (the Prophet) said: "One should perform *Wudu* (ablution) in this case." [Agreed upon and this is Al-Bukhâri's version].

(٦٤) وعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رضي الله تعالى عنه قَالَ: كُنْتُ رَجُلاً مَذَّاءً فَأَمَرْتُ الْمِقْدَادَ أَن يَسْأَلَ النَّبِيَّ ﷺ، فَسَأَلَهُ، فَقَالَ: فِيهِ الْوُضُوءُ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**65.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم kissed[4] one of his wives and went to pray without performing (fresh) ablution. [Reported by Ahmad, and Al-Bukhâri graded it *Da'if* (weak)].

(٦٥) وَعَنْ عَائِشَةَ رضي الله تعالى عنها، أَنَّ النَّبِيَّ ﷺ قَبَّلَ بَعْضَ نِسَائِهِ ثُمَّ خَرَجَ إِلَى الصَّلَاةِ وَلَمْ يَتَوَضَّأْ. أَخْرَجَهُ أَحْمَدُ وَضَعَّفَهُ الْبُخَارِيُّ.

---

[1] It means that the *Istihâda* ( استحاضة ) blood invalidates the ablution, that is why the noble Prophet صلى الله عليه وسلم ordered to perform a fresh ablution for every prayer.

[2] *Madhi* ( مذى ) is a white water like lubricant which oozes out involuntarily at the time of sexual desire. This urethral discharge invalidates the ablution, but is not a cause for obligatory bath.

[3] Miqdâd bin 'Amr bin Tha'laba Al-Bahrâni was nicknamed Abul-Aswad or Abû 'Amr and is known as Al-Miqdâd bin Al-Aswad. Al-Aswad bin Yaghuth Az-Zuhri had fostered and entered into a defence agreement with Miqdâd in the *Jahiliya* days. He was among the virtuous, wise and eminent *Sahâba*. He was the sixth Muslim, made the two migrations and attended all the major battles. He was a horseman during Badr and participated in the conquest of Egypt. He died at the age of 70 in 33 H. at Al-Jauf, three miles from Al-Madîna so he was carried to Al-Madîna, 'Uthmân offered his Funeral prayer, and was buried at Al-Baqi'.

[4] This *Hadîth* confirms that ablution is not cancelled by touching a woman with or without lust. This is supported by a reporting of Imâm Bukhâri narrated by 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم was praying in the darkness and I was laying at rest while my feet were at the place where the Prophet صلى الله عليه وسلم prostrated (on his prayer-mat). At the time of prostration he would touch my feet and I would remove them.

**66.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one of you feels disturbance in his stomach and doubts whether he has released some air or not, then he should not leave the mosque unless he hears its sound or smells (its) odour.[1]" [Reported by Muslim].

(٦٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا وَجَدَ أَحَدُكُمْ فِي بَطْنِهِ شَيْئاً فَأَشْكَلَ عَلَيْهِ، أَخَرَجَ مِنْهُ شَيْءٌ أَمْ لَا؟ فَلَا يَخْرُجَنَّ مِنَ الْمَسْجِدِ، حَتَّى يَسْمَعَ صَوْتاً أَوْ يَجِدَ رِيحاً**». أَخْرَجَهُ مُسْلِمٌ.

**67.** Narrated Talq bin 'Ali[2] رضي الله عنه: A man said: "I touched my penis" or he said, "Does a man who touch his penis during the prayer should perform *Wudu* (ablution)?" The Prophet صلى الله عليه وسلم replied, "No, it is only a part of your body." [Reported by *Al-Khamsa*[3]. Ibn Hibbân graded it *Sahih* (sound) and Ibn Al-Madini said, "It is better than the *Hadîth* of Busra"].

(٦٧) وَعَنْ طَلْقِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَجُلٌ: مَسَسْتُ ذَكَرِي، أَوْ قَالَ: الرَّجُلُ يَمَسُّ ذَكَرَهُ فِي الصَّلَاةِ أَعَلَيْهِ وُضُوءٌ؟ فَقَالَ النَّبِيُّ ﷺ: «**لَا إِنَّمَا هُوَ بَضْعَةٌ مِنْكَ**». أَخْرَجَهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَقَالَ ابْنُ الْمَدِينِيِّ: هُوَ أَحْسَنُ مِنْ حَدِيثِ بُسْرَةَ.

**68.** Narrated Busra bint Safwân[4] رضى الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "He who touches his penis should perform ablution."[5] [Reported by *Al-Khamsa,* and At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound), and Al-Bukhâri said, "It is the most authentic (*Hadîth*) in this chapter"].

(٦٨) وَعَنْ بُسْرَةَ بِنْتِ صَفْوَانَ رضي الله تعالى عنها أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**مَنْ مَسَّ ذَكَرَهُ فَلْيَتَوَضَّأْ**». أَخْرَجَهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ، وَقَالَ الْبُخَارِيُّ: هُوَ أَصَحُّ شَيْءٍ فِي هَذَا الْبَابِ.

---

[1] This *Hadîth* points out an important principle that everything remains at its command until there is something certain against it. Suspicion carries no weight, whether one is in prayer or not.

[2] He is Abû 'Ali Talq bin 'Ali bin Talq bin 'Amr Al-Hanafi As-Siheimi Al-Yamâmi. He visited the Prophet صلى الله عليه وسلم as soon as he arrived at Al-Madina and worked with him in building the Prophet's Mosque.

[3] Ahmad, Abu Dâ'ud, Tirmidhi, Nasâ'i and Ibn Mâjah.

[4] Busra bint Safwân bin Naufal bin Asad bin 'Abdul-'Uzza Al-Qurashiya Al-Asadiya was a *Sahâbiya*, among the first Muslims, migrated early and lived till the caliphate of Mu'âwiya.

[5] Foregoing *Hadîth* of Talq bin 'Ali seems to be contradictory to this, but infact it is not. If the organ is touched uncovered or with lustful intention, then the ablution is nullified, otherwise not.

**69.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Whoever vomits, bleeds through the nose[1], or releases *Madhi* (urethral discharge) should go, perform ablution and then complete his *Salât* (prayer)[2] (by continuing from where he had stopped at) on condition that he does not speak in the process." [Reported by Ibn Mâjah, and Ahmad and others graded it *Da'if*].

(٦٩) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ أَصَابَهُ قَيْءٌ أَوْ رُعَافٌ أَوْ قَلَسٌ أَوْ مَذْيٌ، فَلْيَنْصَرِفْ فَلْيَتَوَضَّأْ، ثُمَّ لِيَبْنِ عَلَى صَلَاتِهِ، وَهُوَ فِي ذَلِكَ لَا يَتَكَلَّمُ». أَخْرَجَهُ ابْنُ مَاجَه، وَضَعَّفَهُ أَحْمَدُ وَغَيْرُهُ.

**70.** Narrated Jâbir bin Samura[3] رضي الله عنه: A man asked the Prophet صلى الله عليه وسلم, "Should I perform ablution after eating mutton?" He replied, "If you wish so", he then asked, "Should I perform ablution after eating camel meat?"[4] He (صلى الله عليه وسلم) said, "Yes." [Reported by Muslim].

(٧٠) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَجُلاً سَأَلَ النَّبِيَّ ﷺ: أَتَوَضَّأُ مِنْ لُحُومِ الْغَنَمِ؟ قَالَ: إِنْ شِئْتَ. قَالَ: أَتَوَضَّأُ مِنْ لُحُومِ الإِبِلِ؟ قَالَ: نَعَمْ. أَخْرَجَهُ مُسْلِمٌ.

**71.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said: "Whoever washes a dead person[5] should take a bath (thereafter); and whoever carries it should perform ablution." [Reported by Ahmad, An-

(٧١) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «مَنْ غَسَّلَ مَيِّتاً فَلْيَغْتَسِلْ، وَمَنْ حَمَلَهُ فَلْيَتَوَضَّأْ». أَخْرَجَهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَقَالَ أَحْمَدُ: لَا

[1] This *Hadith* is *Da'if* (weak), and there is no *Sahih* (sound) *Hadith* concerning this issue.

[2] It means that if a man prayed two *Rak'a* with the *Imâm* (leader of prayer) and it happens that his ablution is cancelled. He leaves the prayer and after making a fresh ablution joins again with the *Imâm* in the same part of prayer where he left, then he should finish the prayer with *Imâm*.

[3] He is a famous *Sahâbi* and the son of Sa'd bin Abi Waqqâs' sister. He settled at Kufa and built a house there. He died in 74 H. or 66 H. His father Samura bin Junada As-Sawai Al-'Aamiri is also a *Sahâbi*.

[4] Some people mean by this the complete ablution and others mean only the rinsing of mouth. Latter view is correct because the noble Prophet صلى الله عليه وسلم pointed out fat as its cause and fat always sticks in the mouth only.

[5] Concerning this issue there is no authentic *Hadith*. Some say that bath is compulsory on one who bathes the dead body, some others are of the opinion that it is just desirable; while to others ablution is compulsory, and there are still others who consider it also not necessary.

يَصِحُّ شَيْءٌ فِي هَذَا الْبَابِ.

Nasâ'i and At-Tirmidhi who graded it *Hasan* (fair). And Ahmad said that there is no authentic *Hadîth* in this chapter].

(٧٢) وعَنْ عَبْدِ اللهِ بِنْ أَبِي بَكْرٍ رضي الله تعالىٰ عنهما أَنَّ فِي الكِتَابِ الَّذي كَتَبَهُ رَسولُ اللهِ ﷺ لِعَمْرِو بْنِ حَزْمٍ: أَنْ لاَ يَمَسَّ القُرْآنَ إِلاَّ طَاهِرٌ. رَوَاهُ مَالِكٌ مُرْسَلاً، وَوَصَلَهُ النَّسَائِيُّ وابْنُ حِبَّانَ، وَهُوَ مَعْلُولٌ.

**72.** Narrated 'Abdullah bin Abû Bakr[1] رضي الله عنهما: The book written by Allâh's Messenger صلى الله عليه وسلم for 'Amr bin Hazm[2] also contained: "None except a pure person should touch the Qur'ân."[3] [Reported by Mâlik as a *Mursal* and by An-Nasâ'i and Ibn Hibbân as *Mawsul*. And it is graded as *Ma'lul* (defective)].

(٧٣) وعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَذْكُرُ اللَّهَ عَلَى كُلِّ أَحْيانِهِ. رَوَاهُ مُسْلِمٌ، وَعَلَّقَهُ الْبُخارِيُّ.

**73.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to mention Allâh's Name (praise Him) at all times.[4] [Reported by Muslim and Al-Bukhâri recorded it as *Mu'allaq* (suspended)].

(٧٤) وعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَصَلَّى، وَلَمْ يَتَوَضَّأْ. أَخْرَجَهُ الدَّارَقُطْنِيُّ، وَلَيَّنَهُ.

**74.** Narrated Anas bin Mâlik رضي الله عنه: The Prophet صلى الله عليه وسلم had blood extracted from his body[5] and offered the prayer and did not perform (a new) ablution. [Reported by Ad-Dâraqutni who graded it *Da'if* (weak)].

---

[1] 'Abdullâh bin Abû Bakr bin Muhammad bin 'Amr bin Hazm Al-Ansâri Al-Madani Al-Qâdi was a *Tabi'i* of the 5th grade. He died in 135 H. at the age of 70 years.

[2] He is a Khazraji, a Najâri and is nicknamed Abû Ad-Dahhâk. He first took part in *Al-Khandaq* and the Prophet صلى الله عليه وسلم sent him to Najrân to teach the people about the religion and collect their *Sadaqât*. He wrote for them a book containing the obligatory and voluntary acts, the *Sadaqât* and the bloodwit, and this is the book mentioned in the *Hadith*. He died in Al-Madina after the fifties.

[3] *Hadath Akbar* (حدث اكبر — sexual discharge) and *Hadath Asghar* (حدث أصغر— passing wind, urine or defecation) both make the purification due, if *Hadath* (impurity) is the result of coition then it is unanimously agreed not to touch the noble Qur'ân, but there is a difference of opinion in doing that without ablution.

[4] The times of answering the call of nature, urination and coition are not included. In the state of being impure by coition, remembrance and pronouncing the Name of Allâh is permissible, but touching and reciting the noble Qur'ân is prohibited.

[5] This *Hadith* clarifies that bleeding except from two (vagina and anus) does not invalidate the ablution. *Ahâdith* of same class have also been narrated by Ibn 'Umar, Ibn 'Abbâs and Abi Aufa رضي الله عنهم.

**75.** Narrated Mu'âwiya[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The eye (when awake) is the string of anus (to stop air escaping), and if the two eyes sleep the string is untied."[2] [Reported by Ahmad and At-Tabarâni who added, "Whoever sleeps should perform ablution.]"

Also reported by Abû Dâ'ud mentioning the above addition without the words "the string is untied", but both versions are weak].

And Ibn 'Abbas رضي الله عنهما narrated in a *Marfu'* (traceable) *Hadîth* that: "Ablution is necessary for one who sleeps while he is lying flat.[3]" [Reported by Abû Dâ'ud and there is weakness in its chain of narrators].

(٧٥) وعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «العَيْنُ وِكَاءُ السَّهِ، فَإِذَا نَامَتِ العَيْنَانِ اسْتَطْلَقَ الوِكَاءُ». رَوَاهُ أَحْمَدُ وَالطَّبَرَانِيُّ، وَزَادَ: «وَمَنْ نَامَ فَلْيَتَوَضَّأْ».

وَهَذِهِ الزِّيَادَةُ فِي هَذَا الْحَدِيثِ عِنْدَ أَبِي دَاوُدَ مِنْ حَدِيثِ عَلِيٍّ دُونَ قَوْلِهِ: «اسْتَطْلَقَ الْوِكَاءُ» وَفِي كِلَا الإِسْنَادَيْنِ ضَعْفٌ.

وَلِأَبِي دَاوُدَ أَيْضاً عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا مَرْفُوعاً: «إِنَّمَا الْوُضُوءُ عَلَى مَنْ نَامَ مُضْطَجِعاً». وفي إسناده ضعف أيضاً.

**76.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Satan comes to one of you in *Salât* (prayer) and blows air in his bottom, so he imagines that he has released air yet he did not. So if he gets that feeling he should not leave his prayer unless he hears the sound (of the air) or smells its odour." [Reported by Al-Bazzâr].

(٧٦) وعَنِ ابْنِ عَبَّاسٍ رضي الله تعالى عنهما، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «يَأْتِي أَحَدَكُمُ الشَّيْطَانُ فِي الصَّلَاةِ فَيَنْفُخُ فِي مَقْعَدَتِهِ، فَيُخَيَّلُ إِلَيْهِ أَنَّهُ أَحْدَثَ، وَلَمْ يُحْدِثْ، فَإِذَا وَجَدَ ذَلِكَ فَلَا يَنْصَرِفُ حَتَّى يَسْمَعَ صَوْتاً أَوْ يَجِدَ رِيحاً». أَخْرَجَهُ الْبَزَّارُ.

---

[1] Both him and his father Abû Sufyân Sakhr bin Harb became Muslims at the conquest of Makka. 'Umar appointed him as the governor of Shâm after the death of his brother Yazid bin Abû Sufyân and he remained so until 'Ali came out in order to dispose him by force and he was sworn as the caliph when Al-Hasan stepped down in his favour in the year 40 H. He died in Rajab 60 H. at the age of 78 years.

[2] It means sleep is a cause of *Hadath* (impurity) and not *Hadath* itself.

[3] It means that sleeping in the flat position results in the invalidation of ablution, whereas in the foregoing *Hadîth* mere sleep is described as the factor of invalidation. Sleeping in the flat position is an indication of sound sleep, when all the organs of body are at rest, it enhances the possibility of uncontrolled passing of wind; while in a light sleep or napping one is not completely unconcious.

It is originally from the *Sahihain* of Bukhâri and Muslim as the *Hadîth* narrated by 'Abdullâh bin Zaid.

وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ عَبْدِ اللهِ بْنِ زَيْدٍ.

And Muslim reported by Abû Huraira likewise.

وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ.

And Abû Sa'îd narrated in a *Marfu' Hadîth*: "If Satan comes to one of you and says: 'You have nullified your ablution (by releasing air)', let him say: 'You have lied.'" [Reported by Al-Hâkim]. Ibn Hibbân also reported the above *Hadîth* with the version: "Let him say in his heart..."

وَلِلْحَاكِمِ عَنْ أَبِي سَعِيدٍ مَرْفُوعاً: «إِذَا جَاءَ أَحَدَكُمُ الشَّيْطَانُ، فَقَالَ: إِنَّكَ قَدْ أَحْدَثْتَ، فَلْيَقُلْ: إِنَّكَ كَذَبْتَ». أَخْرَجَهُ ابْنُ حِبَّانَ بِلَفْظِ: «فَلْيَقُلْ فِي نَفْسِهِ».

## Chapter 7
## THE MANNERS OF ANSWERING THE CALL OF NATURE

## ٧ - بَابُ آدَابِ قَضَاءِ الْحَاجَةِ

**77.** Narrated Anas bin Mâlik رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to remove his ring[1] when entering the lavatory. [Reported by *Al-Arba'a*[2], and it is defective].

(٧٧) عَنْ أَنَسِ بْنِ مَالِكٍ رضي الله تعالى عنه قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا دَخَلَ الْخَلَاءَ وَضَعَ خَاتَمَهُ. أَخْرَجَهُ الْأَرْبَعَةُ، وَهُوَ مَعْلُولٌ.

**78.** Narrated (Anas) رضي الله عنه: The Prophet صلى الله عليه وسلم on entering the lavatory used to say:[3] [*Allâhumma inni a'udhu bika minal khubthi wal khabâ'ithi*] "O Allâh, I seek refuge with You from devils — males and

(٧٨) وعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا دَخَلَ الْخَلَاءَ قَالَ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْخُبُثِ وَالْخَبَائِثِ». أَخْرَجَهُ السَّبْعَةُ.

---

[1] On that ring [ محمد رسول الله ] 'Allâh's Messenger Muhammad' was carved in three lines. It means that Names of Allâh and the verses of noble Qur'ân in the written form should not be carried to the lavatory or while going out to answer the call of nature.

[2] Abû Dâ'ud, Tirmidhi, Nasâ'i and Ibn Mâjah.

[3] Usually jinns live in such filthy places, for that reason the noble Prophet صلى الله عليه وسلم sought the refuge of Allâh. Before entering the lavatory one should recite this prayer in an audible voice. According to the narration of Anas رضي الله عنه in wilds or in jungle, one should recite this prayer before sitting for the call of nature. During the call of nature one should also be careful about one's body and clothes.

females (or all offensive and wicked things, evil deeds and evil spirits, etc.)." [Reported by *As-Sab'a*].

**79.** Narrated (Anas) رضي الله عنه: Whenever Allâh's Messenger صلى الله عليه وسلم went to the privy, a servant and I used to carry a skin water container and a spear, and he would cleanse himself with the water.[1] [Agreed upon].

(٧٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَدْخُلُ الْخَلاَءَ، فَأَحْمِلُ أَنَا وَغُلَامٌ نَحْوِي إِدَاوَةً مِنْ مَاءٍ، وَعَنَزَةً فَيَسْتَنْجِي بِالْمَاءِ. مُتَّفَقٌ عَلَيْهِ.

**80.** Narrated Al-Mughira bin Shu'ba رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم told me, "Take the skin water container", he then went forward till he disappeared[2] from me and relieved himself. [Agreed upon].

(٨٠) وعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رضي الله تعالى عنه قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: خُذِ الإِدَاوَةَ، فَانْطَلَقَ حَتَّى تَوَارَى عَنِّي، فَقَضَى حَاجَتَهُ. مُتَّفَقٌ عَلَيْهِ.

**81.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Safeguard yourselves from the two matters which cause accursing that befalls the one who relieves himself on people's path-ways[3] and under the shades." [Reported by Muslim].

(٨١) وَعَنْ أَبِي هُرَيْرَةَ رضي الله تعالى عنه قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اتَّقُوا اللَّاعِنَيْنِ، الَّذِي يَتَخَلَّى فِي طَرِيقِ النَّاسِ، أَوْ فِي ظِلِّهِمْ». رَوَاهُ مُسْلِمٌ.

Narrated Mu'âdh[4] (رضي الله عنه): He (the Prophet صلى الله عليه وسلم) said: "Guard against the three things which cause curse (i.e.) defecating at the watering

وَزَادَ أَبُو دَاوُدَ عَنْ مُعَاذٍ: «وَالْمَوَارِدَ». وَلَفْظُهُ: «اتَّقُوا الْمَلَاعِنَ الثَّلَاثَةَ، الْبَرَازَ فِي

[1] Most of the people [religious scholars] prefer to purify with clod of mud and water both.

[2] This action of the noble Prophet صلى الله عليه وسلم guides that while going out for the call of nature, it is necessary to arrange some kind of privacy and be hidden from others. In another *Hadith*, it is stated that in an open space, a mound of soil or a heap of sand should be made for the purpose of screening. If someone eases himself in an open, Satan will laugh at his buttocks and will make him a laughing stock of people.

[3] It is prohibited to answer the call of nature near pathways or near the ways in the vicinity of populated areas. Sites of abandoned road or deserted place can be used for the purpose.

[4] Mu'âdh is an *Ansâri* of Al-Khazraj tribe and was one of the virtuous, noble and most learned *Sahâba*. He attended Al-'Aqaba, Badr and other major battles. The Prophet صلى الله عليه وسلم appointed him as his representative in Yemen. Then 'Umar appointed him as the governor of Shâm after Abû 'Ubaida bin Al-Jarrâh. He died in the plague of 'Amwâs in 17 H. or 18 H. at the age of 38.

places, on the roadbeds and in the shades."[1] [Reported by Abû Dâ'ud]. Ahmad reported from Ibn Abbâs رضي الله عنهما that defecation is prohibited also at the place where water collects. [And both the two (i.e. the previous and this *Hadîth*) have weakness].

الْمَوَارِدِ، وَقَارِعَةِ الطَّرِيقِ، والظِّلِّ». ولأحمد عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما: «أَوْ نَقْعِ مَاءٍ». وَفِيْهِمَا ضَعْفٌ.

And Ibn 'Umar (رضي الله عنهما) the prohibition of relieving oneself under fruity trees and on the bank of a flowing river. [Reported by At-Tabarâni with a weak chain of narrators].

وَأَخْرَجَ الطَّبْرَانِيُّ: النَّهْيَ عَنْ قَضَاءِ الْحَاجَةِ تَحْتَ الْأَشْجَارِ الْمُثْمِرَةِ وَضَفَّةِ النَّهْرِ الْجَارِي، مِنْ حَدِيثِ ابْنِ عُمَرَ بِسَنَدٍ ضَعِيفٍ.

**82.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When two people go together to relieve themselves they should disappear from each other and do not talk, for Allâh detests that." [Reported by Ahmad; Ibn As-Sakan and Ibn Al-Qattân graded it *Sahih* (sound) but it is defective[2]].

(٨٢) وعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«إِذَا تَغَوَّطَ الرَّجُلَانِ فَلْيَتَوَارَ كُلُّ وَاحِدٍ مِنْهُمَا عَنْ صَاحِبِهِ، وَلَا يَتَحَدَّثَا، فَإِنَّ اللَّهَ يَمْقُتُ عَلَى ذَلِكَ»**. رَوَاهُ أَحْمَدُ وَصَحَّحَهُ ابْنُ السَّكَنِ وَابْنُ الْقَطَّانِ، وَهُوَ مَعْلُولٌ.

**83.** Narrated Abû Qatâda رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Nobody should touch his penis with his right hand[3] when urinating, and should not clean himself (from defecation or urine) using his right hand and should not breathe in the utensil (he is drinking from)."

(٨٣) وعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رسول الله ﷺ: **«لَا يَمَسَّنَّ أَحَدُكُمْ ذَكَرَهُ بِيَمِينِهِ وَهُوَ يَبُولُ، وَلَا يَتَمَسَّحْ مِنَ الْخَلَاءِ بِيَمِينِهِ، وَلَا يَتَنَفَّسْ فِي الْإِنَاءِ»**. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

---

[1] Altogether these are six places. It is forbidden in a *Hadith* to answer the call of nature or to urinate near the gates of the mosques.

[2] This is confirmed by other authentic *Ahadith*, so it is correct.

[3] Handling the male organ with right hand during urination or washing, and breathing in the utensils during drinking is prohibited according to some, while according to others it is undesirable. Breathing in the utensil is harmful because this is the cause of transmission of germs from one to another, and the *Hadith* which informs about three pauses while drinking means drink should be taken slowly and not at a gulp.

[Agreed upon. This version is of Muslim].

**84.** Narrated Salmân[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade us to face the *Qiblah* when defecating or urinating, or to clean ourselves using the right hand, or to clean ourselves with less than three stones, or to clean ourselves with dung or a bone. [Reported by Muslim].

(٨٤) وعَنْ سَلْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَقَدْ نَهَانَا رَسُولُ اللهِ ﷺ أن نَسْتَقْبِلَ الْقِبْلَةَ بِغَائِطٍ أَوْ بَوْلٍ، أَوْ أَنْ نَسْتَنْجِيَ بِالْيَمِينِ، أَوْ أَن نَسْتَنْجِيَ بِأَقَلَّ مِنْ ثَلَاثَةِ أَحْجَارٍ أَوْ أَنْ نَسْتَنْجِيَ بِرَجِيعٍ أَوْ عَظْمٍ. رَوَاهُ مُسْلِمٌ.

**85.** Narrated Abû Ayub[2] (رضي الله عنه): (Allâh's Messenger صلى الله عليه وسلم said,) "Neither face nor turn your back to the *Qiblah*[3] while defecating or urinating, but turn towards the east or the west." [Reported by the *As-Sab'a*].

(٨٥) وَلِلسَّبْعَةِ مِنْ حَدِيثِ أَبِي أَيُّوبَ: لاَ تَسْتَقْبِلُوا الْقِبْلَةَ بِغَائِطٍ أَوْ بَوْلٍ، وَلاَ تَسْتَدْبِرُوهَا، وَلٰكِنْ شَرِّقُوا أو غَرِّبُوا.

**86.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said, "If anyone goes to relieve himself, he should conceal himself." [Reported by Abû Dâ'ud].

(٨٦) وَعَنْ عَائِشَةَ رَضِيَ الله تعالى عنها، أَنَّ النَّبِيَّ ﷺ قَالَ: **مَنْ أَتَى الْغَائِطَ فَلْيَسْتَتِرْ**. رَوَاهُ أَبُو دَاوُدَ.

**87.** Narrated ('Aisha) رضي الله عنها: When the Prophet صلى الله عليه وسلم came out of the privy, he used to say, "*Ghufrânaka* (O Allâh! Grant me Your forgiveness)." [Reported by

(٨٧) وعَنْهَا رَضِيَ الله عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا خَرَجَ مِنَ الْغَائِطِ قَالَ: «**غُفْرَانَكَ**». أَخْرَجَهُ الخمسة وصححه أبو

---

[1] He was known as "Salman the benevolent" and was nicknamed Abû 'Abdullâh. His origin is from Persia. He travelled in search of a religion and became a Christian. Then he moved to Al-Madîna and believed in the Prophet صلى الله عليه وسلم as soon as he arrived at Al-Madîna. He was a leader in Islâm and died in Al-Madîna in 50 H. or 32 H. Its reported that he lived long for either 250 or 350 years.

[2] His name is Khâlid bin Zaid bin Kulaib. He hosted the Prophet صلى الله عليه وسلم when he first arrived in Al-Madîna. He was one of the senior and most great *Sahâba*. He attended Badr and was martyred while taking part in an expedition against the Byzantinians in 50 H. His grave, situated at the walls of Istanbul, is well-known and visited.

[3] In this issue 'Forbiddance' is for open places, it is not forbidden in inside the building where there are walls around. As there is a *Hadîth* narrated by 'Abdullâh bin 'Umar رضي الله عنهما. He narrates: "In the house of my sister Hafsa, I went upstairs on the roof, I saw the noble Prophet صلى الله عليه وسلم answering the call of nature, he was facing towards Shâm." This *Hadîth* is of *Sahih* Muslim.

*Al-Khamsa*[1]. Abû Hâtim and Al-Hâkim graded it *Sahih* (sound)].

حَاتِمٍ وَالْحَاكِمُ.

**88.** Narrated Ibn Mas'ûd رضى الله عنه: The Prophet صلى الله عليه وسلم went out to answer the call of nature and asked me to bring three stones. I found two stones and searched for the third but could not find it. So I took a dried piece of dung and brought it to him. He took the two stones and threw away the dung[2] and said, "This is a filthy thing". [Reported by Al-Bukhâri. And in the version of Ahmad and Ad-Dâraqutni it is added: "Bring me more[3] (something other than dung)"].

(٨٨) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَتَى النَّبِيُّ ﷺ الْغَائِطَ، فَأَمَرَنِي أَنْ آتِيَهُ بِثَلَاثَةِ أَحْجَارٍ، فَوَجَدْتُ حَجَرَيْنِ، وَلَمْ أَجِدْ ثَالِثًا، فَأَتَيْتُهُ بِرَوْثَةٍ، فَأَخَذَهُمَا وَأَلْقَى الرَّوْثَةَ، وَقَالَ: «**إِنَّهَا رِكْسٌ**». أَخْرَجَهُ الْبُخَارِيُّ. وَزَادَ أَحْمَدُ وَالدَّارَقُطْنِيُّ «ائْتِنِي بِغَيْرِهَا».

**89.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade us to use a bone or dung for cleaning and said, "These two things do not purify." [Reported by Ad-Dâraqutni who graded it *Sahih* (sound)].

(٨٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّ رَسُولَ اللهِ ﷺ نَهَى أَنْ نَسْتَنْجِيَ بِعَظْمٍ، أَوْ رَوْثٍ، وَقَالَ: «**إِنَّهُمَا لَا يُطَهِّرَانِ**». رَوَاهُ الدَّارَقُطْنِيُّ وَصَحَّحَهُ.

**90.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Beware of (smearing yourselves with) urine, because it is the main cause of punishment in the grave." [Reported by Ad-Dâraqutni], and Al-Hâkim reported that: "Urination is the main cause of punishment in the grave". [Its chain of narrators is authentic].

(٩٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**اسْتَنْزِهُوا مِنَ الْبَوْلِ، فَإِنَّ عَامَّةَ عَذَابِ الْقَبْرِ مِنْهُ**». رَوَاهُ الدَّارَقُطْنِيُّ، وَلِلْحَاكِمِ: «**أَكْثَرُ عَذَابِ الْقَبْرِ مِنَ الْبَوْلِ**» وَهُوَ صَحِيحُ الْإِسْنَادِ.

---

[1] The Collectors of *Hadith*: Ahmad, Abû Dâ'ud, An-Nasâ'i, At-Tirmidhi and Ibn Mâjah.

[2] It is known from this *Hadith* that one should not clean the private parts with dung or excrement of animals, and so it is forbidden to clean with bones.

[3] The mentioned addition proves that for cleanliness three clods of mud are needed, even though two may suffice, but the condition of three is a must. More than three may be used if needed, but the number should be odd. This *Hadith* also proves that dung cannot be used for cleaning private parts, likewise cleaning by bones is also prohibited.

91. Narrated Surâqa bin Mâlik[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم educated us about lavatory (manners) that we should sit on our left foot[2] and keep erect our right foot. [Reported by Al-Baihaqi through a chain of weak narrators][3].

(٩١) وعَنْ سُرَاقَةَ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: عَلَّمَنَا رَسُولُ اللهِ ﷺ في الْخَلاءِ أَنْ نَقْعُدَ عَلَى الْيُسْرَى وَنَنْصِبَ الْيُمْنَى. رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ.

92. Narrated 'Iesa bin Yazdâd[4] from his father (رضي الله عنه): Allâh's Messenger صلى الله عليه وسلم said, "When one of you passes urine, he should empty his penis three times." [Reported by Ibn Mâjah through a weak chain of narrators].

(٩٢) وَعَنْ عِيسَى بْنِ يَزْدَادَ (بُرْدَادَ) عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا بَالَ أَحَدُكُمْ فَلْيَنْتُرْ ذَكَرَهُ ثَلاثَ مَرَّاتٍ». رَوَاهُ ابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ.

93. Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم asked the residents of Qubâ' that what had earned them the Praise of Allâh and they replied, "We use water after (cleaning ourselves with) stones." [Reported by Al-Bazzâr with *Da'if* chain of narrators and its *Asl* (original source) is in Abû Dâ'ud and At-Tirmidhi, and Ibn Khuzaima graded it *Sahih* (sound) through Abû Huraira رضي الله عنه without mentioning the "stones."]

(٩٣) وعَنِ ابْنِ عَبَّاسٍ رضي الله تعالى عنهما، أَنَّ النَّبِيَّ ﷺ سَأَلَ أَهْلَ قُبَاءٍ فَقَالَ: إِنَّ اللَّهَ يُثْنِي عَلَيْكُمْ. فَقَالُوا: إِنَّا نُتْبِعُ الحِجَارَةَ الماءَ. رَوَاهُ الْبَزَّارُ بِسَنَدٍ ضَعِيفٍ، وَأَصْلُه في أَبِي دَاوُدَ وَالتِّرْمِذِيِّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، بِدُوْنِ ذِكْرِ الْحِجَارَةِ.

---

[1] Surâqa bin Mâlik bin Ju'shum Al-Mudlaji Al-Kinâni, nicknamed Abû Sufyân was a prominent *Sahâbi*. He was the one who traced Allâh's Messenger صلى الله عليه وسلم on his way to migration whereupon the forelegs of his horse sunk into the ground up to the knees. He died in 24 H.

[2] There is always advisability in every command of Islâm, whether we comprehend it or not. The noble Prophet صلى الله عليه وسلم instructed us to sit on the left foot (to put weight of the body on left foot) while sitting for answering the call of nature; as the stomach is on the left side, it makes the action easy; and the constipation, the mother of diseases, is also eradicated.

[3] This *Hadith* is weak because there are unknown narrators in its chain.

[4] 'Iesa and his father Yazdâd are both unknown. Ibn Ma'in said, " 'Iesa and his father are unknown.".

## Chapter 8
## TAKING *GHUSL* (BATH) AND THE PRECEPTS REGARDING SEXUAL IMPURITY

## ٨ - بَابُ الْغُسْلِ وَحُكْمُ الْجُنُبِ

**94.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "The water (of the *Ghusl* is due to the water (of sexual emission)"[1]. [Reported by Muslim and its *Asl* (origin) is in Al-Bukhâri].

(٩٤) عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْمَاءُ مِنَ الْمَاءِ**». رَوَاهُ مُسْلِمٌ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

**95.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said that, "If one of you sits between her legs (of a woman) and penetrates her[2], *Ghusl* (bath) is obligatory." [Agreed upon]. And Muslim added: "Even if he does not ejaculate."

(٩٥) وعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا جَلَسَ أَحَدُكُمْ بَيْنَ شُعَبِهَا الْأَرْبَعِ ثُمَّ جَهَدَهَا، فَقَدْ وَجَبَ الغُسْلُ**». مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ: «وَإِنْ لَمْ يُنْزِلْ».

**96.** Narrated Umm Salama رضي الله عنها: Umm Sulaim,[3] the wife of Abû Talha said, "O Allâh's Messenger! Allâh is not ashamed of the truth. Is a *Ghusl* (bath) compulsory for a woman when she has a sexual dream."[4]

(٩٦) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ أُمَّ سُلَيْمٍ - وَهِيَ امْرَأَةُ أَبِي طَلْحَةَ - قَالَتْ: يا رسولَ اللهِ! إِنَّ اللَّهَ لاَ يَسْتَحيِي مِنَ الْحَقِّ، فَهَلْ عَلَى الْمَرْأَةِ مِنْ غُسْلٍ إِذَا

---

[1] It means after seminal discharge, taking of bath is essential and obligatory. This *Hadîth* is linked only with 'night discharge' and not with coition. Most of the religious scholars believe in it. Ubai bin K'ab said that in the early period of Islâm, in case of coition, taking of bath was not obligatory until the seminal discharge happened, but afterwards this order was abrogated. Some of the research scholars have reported the consensus of Muslims on this issue that as soon as coition is started, taking of *Ghusl* (bath) becomes obligatory, whether seminal discharge occurs or not.

[2] It means that with the start of coitus, taking of *Ghusl* (bath) becomes obligatory. This *Hadîth* cancels the previous one, if linked with coition.

[3] Her name is Ar-Rumaisâ' or Al-Ghumaisâ' bint Milhân, Anas bin Mâlik's mother. She was among the virtuous *Sahabiyât*. She was married to Mâlik bin An-Nasr, then she became a Muslim and invited him to Islâm, but he became angry and went to Shâm where he died. She was then proposed to by Abû Talha while still a *Mushrik*, but she made a condition that he should become a Muslim, so he became one and married her. She died during the caliphate of 'Uthmân.

[4] As men, women also have 'wet dreams', so taking bath is obligatory for them too.

He (صلى الله عليه وسلم) replied, "Yes! When she sees signs of liquid." [Agreed upon.]

اِحْتَلَمَتْ؟ قَالَ: «نَعَمْ، إِذَا رَأَتِ الْمَاءَ»، الحديث مُتَّفَقٌ عَلَيْهِ.

**97.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said about the precept of a woman having ejaculation during sleep like a man, "She should take a *Ghusl* (bath)". [Agreed upon] Added Muslim: Umm Salama said, "Does this happen (to a woman)?" He (صلى الله عليه وسلم) said, "Yes, otherwise where does the resemblance (of a child to its mother) come from[1]?"

(٩٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ، فِي الْمَرْأَةِ تَرَى فِي مَنَامِهَا مَا يَرَى الرَّجُلُ، قَالَ: **تَغْتَسِلُ**. مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ: «فَقَالَتْ أُمُّ سَلَمَةَ: وَهَلْ يَكُونُ هَذَا؟ قَالَ: «**نَعَمْ، فَمِنْ أَيْنَ يَكُونُ الشَّبَهُ؟**».

**98.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to take a bath from four things; after sexual intercourse, on Fridays, after extracting blood from his body and after washing a dead body.[2] [Reported by Abû Dâ'ud and Ibn Khuzaima graded it *Sahih* (sound).]

(٩٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَغْتَسِلُ مِنْ أَرْبَعٍ: مِنَ الْجَنَابَةِ، وَيَوْمَ الْجُمُعَةِ، وَمِنَ الْحِجَامَةِ، وَمِنْ غُسْلِ الْمَيِّتِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابنُ خُزَيْمَةَ.

**99.** Narrated Abû Huraira رضي الله عنه regarding the story of Thumâma bin Uthâl[3] when he embraced Islâm: The Prophet صلى الله عليه وسلم ordered him to take a bath.[4] [Narrated by Abdur-

(٩٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ ثُمَامَةَ بْنِ أُثَالٍ عِنْدَمَا أَسْلَمَ - وَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَغْتَسِلَ. رَوَاهُ عَبْدُ الرَّزَّاقِ،

---

[1] It means that women also have seminal discharge otherwise how a child can take after the mother? Resemblance of children to their parents is on account of potency of semen.

[2] Among all these four, taking bath after coition is *Fard* (obligatory), on Friday is *Sunna* (the way of noble Prophet صلى الله عليه وسلم) and rest of the two are *Mustahab* (desirable). *Ahadîth* regarding obligation of Friday bath are more authentic, therefore, those are to be followed.

[3] Thumâma bin Uthâl was from Banu Hanifa and the chief of Al-Yâmama people. He went to perform *'Umrah* while still a *Mushrik* and was captured by some horsemen of the Prophet صلى الله عليه وسلم. They brought him to Al-Madîna and tied him to one of the mosque's pillars. The Prophet صلى الله عليه وسلم released him after three days. He then became a devoted Muslim and stood firm, during the *Ridda* (apostasy) days, against his people who were cheated by Musailima Al-Kadhdhâb.

[4] When a non-Muslim embraces Islam, it is obligatory for him to take a bath. Abû Da'ûd

Razzâq and its origin is in Al-Bukhâri and Muslim].

وَأَصْلُهُ مُتَّفَقٌ عَلَيْهِ.

**100.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Taking a bath on Friday is a must for every adult". [Reported by *As-Sab'a*[1]].

(١٠٠) وعَن أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «غُسْلُ يَوْمِ الْجُمُعَةِ وَاجِبٌ عَلَى كُلِّ مُحْتَلِمٍ». أَخْرَجَهُ السَّبْعَةُ.

**101.** Narrated Samura[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever performs ablution on Friday has done a good thing and he who takes bath, taking bath is better (for him)." [Reported by *Al-Khamsa*[3] and At-Tirmidhi graded it *Hasan* (fair).]

(١٠١) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَوَضَّأَ يَوْمَ الْجُمُعَةِ فَبِهَا وَنِعْمَتْ، وَمَنِ اغْتَسَلَ فَالْغُسْلُ أَفْضَلُ». رَوَاهُ الْخَمْسَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

**102.** Narrated 'Ali رضى الله عنه: The Prophet صلى الله عليه وسلم used to teach us the Qur'ân except when he was in a state of sexual impurity.[4] [Reported by Ahmad and *Al-Arba'a*. This is the version of At-Tirmidhi who graded it *Hasan* (fair). And Ibn Hibbân graded it *Sahih* (sound)].

(١٠٢) وعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يُقْرِئُنَا الْقُرْآنَ مَا لَمْ يَكُنْ جُنُباً. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَهَذَا لَفْظُ التِّرْمِذِيِّ، وَحَسَّنَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**103.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one of you has sexual intercourse with his wife, and wishes

(١٠٣) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدُكُمْ أَهْلَهُ، ثُمَّ أَرَادَ أَنْ يَعُودَ، فَلْيَتَوَضَّأْ

reported that the noble Prophet صلى الله عليه وسلم ordered Thumâma to take a bath, when he embraced Islâm.

[1] Bukhâri, Muslim, Abû Dâ'ud, Tirmidhi, Nisâ'i, Ibn Mâjah and Musnad Ahmad.

[2] Samura bin Jundub is a well-known *Sahâbi* nicknamed Abû 'Abdullâh. He was a Fazâri and an ally of the *Ansâr*. He was also one of the memorizers who narrated many *Ahâdith*. He settled at Basra and was very harsh against Al-Haruriya. He died towards the end of the year 59 H.

[3] Abû Dâ'ud, Tirmidhi, Nasâ'i, Ibn Mâjah and Musnad Ahmad.

[4] From this *Hadîth* and from others it is proved that reading of noble Qur'ân for a person needing post-coition *Ghusl* (bath) is not right.

بَيْنَهُمَا وُضُوءًا». رَوَاهُ مُسْلِمٌ، زَادَ الْحَاكِمُ: «فَإِنَّهُ أَنْشَطُ لِلْعَوْدِ».

to repeat he should perform ablution[1] between them." [Reported by Muslim.] Al-Hâkim added: "Ablution makes one active for repeating (the sexual act)."

وَلِلأَرْبَعَةِ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَنَامُ وَهُوَ جُنُبٌ، مِنْ غَيْرِ أَنْ يَمَسَّ مَاءً. وَهُوَ مَعْلُولٌ.

Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to sleep in the state of sexual impurity without touching water.[2] [Reported by *Al-Arba'a*. This *Hadîth* is defective.]

(١٠٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا اغْتَسَلَ مِنَ الْجَنَابَةِ يَبْدَأُ فَيَغْسِلُ يَدَهُ، ثُمَّ يُفْرِغُ بِيَمِينِهِ عَلَى شِمَالِهِ فَيَغْسِلُ فَرْجَهُ، ثُمَّ يَتَوَضَّأُ ثُمَّ يَأْخُذُ الْمَاءَ فَيُدْخِلُ أَصَابِعَهُ فِي أُصُولِ الشَّعْرِ، ثُمَّ حَفَنَ عَلَى رَأْسِهِ ثَلَاثَ حَفَنَاتٍ، ثُمَّ أَفَاضَ عَلَى سَائِرِ جَسَدِهِ، ثُمَّ غَسَلَ رِجْلَيْهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**104.** Narrated 'Aisha رضي الله عنها: Whenever Allâh's Messenger صلى الله عليه وسلم took *Ghusl* (bath) after sexual intercourse, he would begin by washing his hands, then pour water with his right hand on his left hand and wash his sexual organ. He would then perform ablution, then take some water and run his fingers through the roots of his hair. Then he would pour three handfuls on his head, then pour water over the rest of his body and subsequently wash his feet. [Agreed upon and this version is of Muslim].

وَلَهُمَا فِي حَدِيثِ مَيْمُونَةَ: «ثُمَّ أَفْرَغَ عَلَى فَرْجِهِ وَغَسَلَهُ بِشِمَالِهِ، ثُمَّ ضَرَبَ بِهَا الأَرْضَ».

Narrated Maimûna (رضي الله عنها): Allâh's Messenger صلى الله عليه وسلم poured water over his private parts and washed them with his left hand. He then struck his hand against the earth.

وَفِي رِوَايَةٍ: «فَمَسَحَهَا بِالتُّرَابِ». وَفِي

In another version: 'He rubbed it on the earth.' And in the last of this

---

[1] This ablution is desirable and not essential, it also brings about a pleasure and freshness in mood. It is reported that if the noble Prophet صلى الله عليه وسلم went to his different wives in one night, he used to take a *Ghusl* (bath) after going to each of them. It is also reported that he performed ablution in between and sometimes he did not. So, in this matter one can choose any mode.

[2] It means that before going to sleep, ablution is not essential for a *Junubi* (a man in the post-discharge state). There is a *Hadith* from Bukhâri regarding this issue, that the noble Prophet صلى الله عليه وسلم used to perform ablution before eating, drinking or sleeping. Therefore, it is better to follow the way of the noble Prophet صلى الله عليه وسلم though it is merely preferable.

version: 'Then I brought him a towel[1] but he returned it and kept wiping off the water with his hand.' [Agreed upon].

آخرِهِ: «ثُمَّ أَتَيْتُهُ بِالْمِنْدِيلِ فَرَدَّهُ»، وَفِيهِ: «وجَعَلَ يَنْفُضُ الْمَاءَ بِيَدِهِ».

**105.** Narrated Umm Salama رضى الله عنها: I said, "O Messenger of Allâh, I am a woman with tightly plaited hair on my head; should I undo it for taking a bath from sexual intercourse?" In another version is: "from menstruation?" He (صلى الله عليه وسلم) said, "No, it is enough for you to throw three handfuls of water[2] on your head". [Reported by Muslim.]

(١٠٥) وعَنْ أُمِّ سَلَمَةَ رضي الله تعالى عنها قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي امْرأَةٌ أَشُدُّ شَعَرَ رَأْسِي، أَفَأَنْقُضُهُ لِغُسْلِ الجَنَابَةِ؟ وَفِي رِوَايَةٍ: وَلِلْحَيْضَةِ؟ فَقَالَ: **لاَ، إِنَّمَا يَكْفِيكِ أَنْ تَحْثِي عَلَى رَأْسِكِ ثَلاثَ حَثَيَاتٍ**. رَوَاهُ مُسْلِمٌ.

**106.** Narrated 'Aisha رضـي اللـه عنهـا: Allâh's Messenger صلى الله عليه وسلم said, "I do not permit a woman in menstrual condition[3] or anyone in a state of sexual impurity to (enter) the mosque".[4] [Reported by Abû Dâ'ud and Ibn Khuzaima graded it *Sahih* (sound)].

(١٠٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِنِّي لاَ أُحِلُّ الْمَسْجِدَ لِحَائِضٍ وَلاَ جُنُبٍ**». رَوَاهُ أَبُو دَاوُد، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**107.** Narrated ('Aisha) رضى الله عنها: I and Allâh's Messenger صلى الله عليه وسلم took a *Ghusl* (bath) due to sexual impurity

(١٠٧) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنْتُ أَغْتَسِلُ أَنَا وَرَسُولُ اللهِ ﷺ مِنْ

---

[1] The issue of drying the limbs after performing ablution is discretionary, therefore, it depends on the choice whether to dry or not.

[2] This *Hadîth* makes it clear that for a menstruating woman and *Junubi* (a man in the post-discharge state) it is not essential to unravel the hair. There is another *Hadîth* from 'Aisha رضى الله عنها in which untying of hair is reported. Both the *Ahadîth* are for different occasions.

[3] A menstruating woman is not allowed to enter a mosque and circumambulate the Sacred Ka'ba, she should not pray or fast in this period. Prayers of this period are pardoned but she must fast later on. Reading and touching the noble Qur'ân is also prohibited. She should also not recite a complete verse of Qur'ân at a time. Remembrance of Allâh is allowed to her. She can participate in invocation upon Allâh with other Muslims. She is allowed to go to the place of *'Eid* prayers.

[4] It means that a menstruating woman and a man in post-discharge state is not allowed to stay in a mosque but passing through is allowed. If somebody gets discharged as a result of wet dream during a sleep in a mosque, it is essential for him to go out. This is unanimously agreed upon.

from the same vessel and our hands alternated into it. [Agreed upon.] Ibn Hibbân added "and (our hands) met."

إِنَاءٍ وَاحِدٍ، تَخْتَلِفُ أَيْدِينَا فِيهِ، مِنَ الْجَنَابَةِ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ ابْنُ حِبَّانَ: «وَتَلْتَقِي».

**108.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There is sexual impurity under every hair[1], so wash the hair and cleanse the skin." [Reported by Abû Dâ'ud and At-Tirmidhi who both graded it *Da'if* (weak); and in the version of Ahmad, a similar *Hadîth* is narrated by 'Aisha رضي الله عنها and in the chain is one narrator who is *Majhûl* (unknown)].

(١٠٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ تَحْتَ كُلِّ شَعْرَةٍ جَنَابَةً، فَاغْسِلُوا الشَّعْرَ، وَأَنْقُوا الْبَشَرَ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَضَعَّفَاهُ، وَلِأَحْمَدَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نَحْوُهُ، وَفِيهِ رَاوٍ مَجْهُولٌ.

## Chapter 9
## *TAYAMMUM* (PURIFICATION WITH SOIL)

## ٩ - بَابُ التَّيَمُّمِ

**109.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "I have been given five things which were not given to anyone else before me. Allâh made me victorious by awe (of frightening my enemies) for a distance of one month's journey. The earth has been made for me (and my followers) a place for praying and purification (performing *Tayammum*). Therefore, anyone (of my followers) should pray wherever the time of *Salât* (prayer)[2] becomes due."[3]

(١٠٩) عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «أُعْطِيتُ خَمْساً لَمْ يُعْطَهُنَّ أَحَدٌ قَبْلِي، نُصِرْتُ بِالرُّعْبِ مَسِيرَةَ شَهْرٍ، وَجُعِلَتْ لِيَ الْأَرْضُ مَسْجِداً وَطَهُوراً، فَأَيُّمَا رَجُلٍ أَدْرَكَتْهُ الصَّلَاةُ فَلْيُصَلِّ». وَذَكَرَ الْحَدِيثَ.

In the version of Muslim narrated by Hudhaifa: "The soil[4] of the earth

وَفِي حَدِيثِ حُذَيْفَةَ عِنْدَ مُسْلِمٍ:

[1] We come to know by this *Hadîth* that it is obligatory to wash the whole body after having a sexual intercourse except rinsing of mouth and putting water in the nose because these two are controversial.

[2] It means that if water is not available, one should not miss the first part of prayer time in search of water.

[3] Other three things are: a) Booty has been made lawful; b) Intercession on the Day of Judgement; c) Messengership for the whole universe.

[4] Soil and all other things from the kind of soil are regarded as same and *Tayammum* is

has been made for us as a means of purification when we do not find water."

«وَجُعِلَتْ تُرْبَتُهَا لَنَا طَهُوراً إِذَا لَمْ نَجِدِ الْمَاءَ».

In the version of Ahmad narrated by 'Ali رضي الله عنه: "The soil has been made for us a means of cleansing."

وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ عَنْهُ، عِنْدَ أَحْمَدَ: «وَجُعِلَ التُّرَابُ لِي طَهُوراً».

**110.** Narrated 'Ammâr bin Yâsir[1] رضي الله عنهما: The Prophet صلى الله عليه وسلم sent me on an errand, then I had ejaculation (in my sleep) and I did not find water. (For performing *Tayammum*) I rolled on the soil like an animal, then I returned to the Prophet صلى الله عليه وسلم and mentioned that to him. He (صلى الله عليه وسلم) said, "It was sufficient for you to do with your hands this way". He then struck his hands once on the soil and then rubbed the left hand on the right and the exterior part of his palms and his face. [Agreed upon. The version is that of Muslim].

(١١٠) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: بَعَثَنِي النَّبِيُّ ﷺ فِي حَاجَةٍ، فَأَجْنَبْتُ، فَلَمْ أَجِدِ الْمَاءَ، فَتَمَرَّغْتُ فِي الصَّعِيدِ، كَمَا تَمَرَّغُ الدَّابَّةُ، ثُمَّ أَتَيْتُ النَّبِيَّ ﷺ، فَذَكَرْتُ لَهُ ذَلِكَ، فَقَالَ: **إِنَّمَا كَانَ يَكْفِيكَ أَنْ تَقُولَ بِيَدَيْكَ هَكَذَا**، ثُمَّ ضَرَبَ بِيَدَيْهِ الأَرْضَ ضَرْبَةً وَاحِدَةً، ثُمَّ مَسَحَ الشِّمَالَ عَلَى الْيَمِينِ، وَظَاهِرَ كَفَّيْهِ وَوَجْهَهُ. متفق عليه وَاللَّفْظُ لِمُسْلِمٍ.

And in the version of Al-Bukhâri: 'He (Allâh's Messenger صلى الله عليه وسلم) struck the earth with his palms of both hands[2] and then blew the dust and rubbed his palms of both hands over his face and hands.'

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ «وَضَرَبَ بِكَفَّيْهِ الأَرْضَ، وَنَفَخَ فِيهِمَا، ثُمَّ مَسَحَ بِهِمَا وَجْهَهُ وَكَفَّيْهِ».

**111.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said,

(١١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ

---

permissible with them, but things like lime, antimony and arsenic, etc. do not fall in the kind of soil.

[1] 'Ammâr was nicknamed Abul-Yaqzân, and was among the most senior and early Muslims, and was tortured in Makka for his Faith. He made the two migrations and took part in Badr and all the other important battles. The Prophet صلى الله عليه وسلم told him, "O 'Ammâr, the transgressive party will kill you." This happened in Siffin in 36 H. when he was with 'Ali and he was killed by some soldiers of Mu'âwiya at the age of 73 years.

[2] This *Hadith* argues about *Tayammum* (purification with soil). Religious elites are of the opinion that one stroke on earth is enough for face and both hands. Some others say that two strokes are essential, one for face and the other for hands as is mentioned in the next *Hadîth*. But all *Ahadîth* which mention 'two strokes' are *Da'if* (weak).

"*Tayammum* (purifying with the soil) consists of two strikings[1] of the soil, one for the face and one for the hands up to the elbows." [Reported by Ad-Dâraqutni, and the *Imâm* graded it *Sahih* as *Mawqûf*].

تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «التَّيَمُّمُ ضَرْبَتَانِ، ضَرْبَةٌ لِلْوَجْهِ، وَضَرْبَةٌ لِلْيَدَيْنِ إِلَى الْمِرْفَقَيْنِ». رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَ الْأَئِمَّةُ وَقْفَهُ.

**112.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The soil is a means of ablution for a believing Muslim, even if he does not find water for ten years[2]; but when he finds water he should guard against disobeying Allâh and let it touch his skin." [Reported by Al-Bazzâr, and Al-Qattân graded it *Sahih* (sound). But Ad-Dâraqutni approved it as *Mursal*, At-Tirmidhi also reported a similar version on the authority of Abû Dhar,[3] which he authenticated and so did Al-Hâkim].

(١١٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الصَّعِيدُ وَضُوءُ الْمُؤْمِنِ الْمُسْلِمِ، وَإِنْ لَمْ يَجِدِ الْمَاءَ عَشْرَ سِنِينَ، فَإِذَا وَجَدَ الْمَاءَ فَلْيَتَّقِ اللَّهَ، وَلْيُمِسَّهُ بَشَرَتَهُ». رَوَاهُ الْبَزَّارُ، وَصَحَّحَهُ ابْنُ الْقَطَّانِ، وَلَكِنْ صَوَّبَ الدَّارَقُطْنِيُّ إِرْسَالَهُ، وَلِلتِّرْمِذِيِّ عَنْ أَبِي ذَرٍّ نَحْوُهُ، وَصَحَّحَهُ وَالْحَاكِمُ أَيْضاً.

**113.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Two men set out on a journey and when the time of *Salât* (prayer) came they had no water. They performed *Tayammum* with clean earth and prayed. Later on they found water within the time of the prayer. One of them repeated the prayer and ablution but the other did not repeat. Then they came to Allâh's Messenger صلى الله عليه وسلم and related the matter to him. Addressing himself to

(١١٣) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: خَرَجَ رَجُلَانِ فِي سَفَرٍ، فَحَضَرَتِ الصَّلَاةُ، وَلَيْسَ مَعَهُمَا مَاءٌ، فَتَيَمَّمَا صَعِيداً طَيِّباً، فَصَلَّيَا، ثُمَّ وَجَدَا الْمَاءَ فِي الْوَقْتِ، فَأَعَادَ أَحَدُهُمَا الصَّلَاةَ، وَالْوُضُوءَ، وَلَمْ يُعِدِ الْآخَرُ، ثُمَّ أَتَيَا رَسُولَ اللَّهِ ﷺ، فَذَكَرَا ذَلِكَ لَهُ، فَقَالَ لِلَّذِي لَمْ يُعِدْ: «أَصَبْتَ

[1] The scholars of *Ahadith* have regarded this *Hadith* as *Da'if* (weak), and all its chains are also weak.

[2] It means that at the time of necessity soil is a complete substitute of water and fulfills all purposes of purification whether it concerns ablution, or *Ghusl* (bath). With one *Tayammum* many obligatory acts can be performed, if there is no factor which nullifies it.

[3] Abû Dhar's name was Jundub bin Junâda, and he was among the most prominent *Sahâba* and an ascetic. He became a Muslim very early at Makka, then went back to his people. He came to the Prophet صلى الله عليه وسلم at Al-Madîna and later settled and died at Rabdha in 32 H.

the one who did not repeat, he said, "You followed the *Sunna* and your (first) prayer was enough for you."[1] He said to the one who performed ablution and repeated: "For you there is a double reward".[2] [Reported by Abû Dâ'ud and An-Nasâ'i].

السُّنَّةَ، وَأَجْزَأَتْكَ صَلَاتُكَ»، وَقَالَ لِلآخَرِ: «لَكَ الأَجْرُ مَرَّتَيْنِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

**114.** Narrated Ibn 'Abbâs رضي الله عنهما regarding the explanation of the Words of Allâh عز و جل: "And if you are ill[3] or on a journey ... ": If a man sustains a wound in the cause of Allâh and an injury, then becomes sexually impure and fears death if he takes *Ghusl* (bath), he should perform *Tayammum*. [Reported by Ad-Dâraqutni in a *Mawqûf* (untraceable) *Hadîth* and Al-Bazzâr in a *Marfû'* (traceable) one. Ibn Khuzaima and Al-Hâkim graded it *Sahih* (sound)].

(١١٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، فِي قَوْلِهِ عَزَّ وَجَلَّ: ﴿وَإِنْ كُنتُمْ مَرْضَىٰ أَوْ عَلَىٰ سَفَرٍ﴾ قَالَ: إِذَا كَانَتْ بِالرَّجُلِ الجِرَاحَةُ فِي سَبِيلِ اللهِ وَالقُرُوحُ، فَيُجْنِبُ، فَيَخَافُ أَن يَمُوتَ إِنِ اغْتَسَلَ، تَيَمَّمَ. رَوَاهُ الدَّارَقُطْنِيُّ مَوْقُوفاً وَرَفَعَهُ البَزَّارُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالْحَاكِمُ.

**115.** Narrated 'Ali رضي الله عنه: One of my forearms was broken. Then I asked Allâh's Messenger صلى الله عليه وسلم and he ordered me to wipe over the bandages.[4] [Reported by Ibn Mâjah with a very weak chain of narrators].

(١١٥) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: انْكَسَرَتْ إِحْدَى زَنْدَيَّ، فَسَأَلْتُ رَسُولَ اللهِ ﷺ فَأَمَرَنِي أَنْ أَمْسَحَ عَلَى الْجَبَائِرِ. رَوَاهُ ابْنُ مَاجَهْ بِسَنَدٍ وَاهٍ جِدًّا.

---

[1] It means that if somebody has already prayed a certain prayer by performing *Tayammum*, then there is no need to repeat the prayer, even afterwards water is found and still there is time for the prayer.

[2] It was not necessary to pray again, if the prayer had been offered by performing *Tayammum*. The second person got double reward not for the reason that he prayed again but for the exercise of judgement regarding the problem, which was although wrong but there is one reward for a wrong judgement. Second reason for earning double reward may be that he prayed twice, once with *Tayammum* and once with ablution.

[3] It means that when you intend for prayer and there is some hindrance in performing ablution or having *Ghusl* (bath), the *Tayammum* is essential. Here illness means some serious disease and not the ordinary boils and eruptions.

[4] The word in Arabic is *Jabâ'ir* (جبائر) used for those wooden strips which are placed around the broken arm or leg for support and to keep it straight.

**116.** Narrated Jâbir رضي الله عنه concerning the man who had sustained a cut on his head and took a bath and died: (Allâh's Messenger صلى الله عليه وسلم said) "It was enough for him to perform *Tayammum* then bind a bandage over the wound and wipe water on it and then wash the rest of his body." [Reported by Abû Dâ'ud, its chain is *Da'if* and there is disagreement concerning its narrator].

(١١٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي الرَّجُلِ الَّذِي شُجَّ فَاغْتَسَلَ فَمَاتَ: إِنَّمَا كَانَ يَكْفِيهِ أَنْ يَتَيَمَّمَ وَيَعْصِبَ عَلَى جُرْحِهِ خِرْقَةً ثُمَّ يَمْسَحَ عَلَيْهَا، وَيَغْسِلَ سَائِرَ جَسَدِهِ. رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ ضَعْفٌ، وَفِيهِ اخْتِلَافٌ عَلَى رَاوِيهِ.

**117.** Narrated Ibn Abbâs رضي الله عنهما: It is the *Sunna* that a person should not pray more than once[1] with a (one) *Tayammum* and he should perform *Tayammum* for the next *Salât* (prayer). [Reported by Ad-Dâraqutni with a very weak chain of narrators].[2]

(١١٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مِنَ السُّنَّةِ أَنْ لَا يُصَلِّيَ الرَّجُلُ بِالتَّيَمُّمِ إِلَّا صَلَاةً وَاحِدَةً، ثُمَّ يَتَيَمَّمُ لِلصَّلَاةِ الْأُخْرَى. رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ جِدًّا.

## Chapter 10
## MENSTRUATION

## ١٠ - بَابُ الْحَيْضِ

**118.** Narrated 'Aisha رضي الله عنها: Fatima bint Abû Hubaish had a prolonged flow of blood[3] and Allâh's Messenger صلى الله عليه وسلم told her, "The

(١١٨) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: إِنَّ فَاطِمَةَ بِنْتَ أَبِي حُبَيْشٍ كَانَتْ

[1] Since *Tayammum* (purification with soil) is a substitute for ablution, it works the same. Many prayers can be offered with one ablution, in the same way many prayers can be offered with one *Tayammum*. Some people after performing *Tayammum* for coition or wet dream hesitate to enter the mosque or to recite the Qur'ân, this is only an evil apprehension and a satanic distraction and should not be cared for. In this *Hadîth* Hasan bin 'Ammâr is weak in the chain of narrators. There are two other *Ahadîth* on the same issue and both of them are *Da'if* (weak).

[2] This *Hadîth* is weak because it was narrated by Hasan bin 'Ammâr who was weak, and due to this fact the *Hadîth* scholars did not rely on it, but said that, "Allâh has permitted for us the use of soil in the absence of water and since ablution becomes obligatory after passing urine, excreting or releasing air, so is the case of *Tayammum*."

[3] *Istihâda* (استحاضة) may be either prolonged puerperium or prolonged menstruation period (and is regarded as bleeding between the periods). Period of menstruation, according to some scholars is from one to fifteen days; and according to others, its duration is from three to ten days. Experience confirms the later assertion. Every woman knows her period, if bleeding exceeds the normal time, then it would be *Istihâda*.

menstruation blood is a dark recognizable blood, so if that comes then avoid prayer. And if it is the other (light coloured blood) then perform *Wudu* (ablution) and offer *Salât* (prayer) (for that is blood of a vein)." [Reported by Abû Dâ'ud and An-Nasâ'i. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound). Abû Hâtim termed it *Munkar* (unusual)].

تُسْتَحَاضُ، فَقَالَ لَهَا رَسُولُ اللهِ ﷺ: «إِنَّ دَمَ الْحَيْضِ دَمٌ أَسْوَدُ يُعْرَفُ، فَإِذَا كَانَ ذَلِكَ فَأَمْسِكِي عَنِ الصَّلَاةِ، فَإِذَا كَانَ الْآخَرُ فَتَوَضَّئِي وَصَلِّي». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ.

And in the *Hadîth* of Asmâ' bint 'Umais[1] (رضي الله عنها) reported by Abû Dâ'ud, (the Prophet صلى الله عليه وسلم said:) "She should sit in a tub, and when she sees yellowish colour on the top of the water, she should take a bath once for the *Zuhr* and *'Asr* prayers, and take another bath for the *Maghrib* and *'Ishâ'* prayers, and take a bath once for the *Fajr* prayer, and in between these times she should perform ablution."

وَفِي حَدِيثِ أَسْمَاءَ بِنْتِ عُمَيْسٍ عِنْدَ أَبِي دَاوُدَ: وَلْتَجْلِسْ فِي مِرْكَنٍ، فَإِذَا رَأَتْ صُفْرَةً فَوْقَ الْمَاءِ فَلْتَغْتَسِلْ لِلظُّهْرِ وَالْعَصْرِ غُسْلًا وَاحِدًا، وَتَغْتَسِلْ لِلْمَغْرِبِ وَالْعِشَاءِ غُسْلًا وَاحِدًا، وَتَغْتَسِلْ لِلْفَجْرِ غُسْلًا وَاحِدًا، وَتَتَوَضَّأُ فِي مَا بَيْنَ ذَلِكَ.

**119.** Narrated Hamna bint Jahsh[2] رضي الله عنها: My menstruation was too much and severe. So I came to the Prophet صلى الله عليه وسلم to ask for his (religious) opinion. He said, "This is a stroke of the devil, so observe your menses for six or seven days, then take a bath and when you see that you are purified and quite clean, pray for twenty-three or twenty-four days, and fast and pray for that will suffice you.

(١١٩) وَعَنْ حَمْنَةَ بِنْتِ جَحْشٍ رَضِيَ اللهُ تَعَالَى عَنْهَا قَالَتْ: كُنْتُ أُسْتَحَاضُ حَيْضَةً كَثِيرَةً شَدِيدَةً، فَأَتَيْتُ النَّبِيَّ ﷺ أَسْتَفْتِيهِ، فَقَالَ: «إِنَّمَا هِيَ رَكْضَةٌ مِنَ الشَّيْطَانِ، فَتَحَيَّضِي سِتَّةَ أَيَّامٍ أَوْ سَبْعَةَ أَيَّامٍ، ثُمَّ اغْتَسِلِي، فَإِذَا اسْتَنْقَأْتِ فَصَلِّي أَرْبَعَةً وَعِشْرِينَ أَوْ ثَلَاثَةً وَعِشْرِينَ، وَصُومِي

[1] She was the wife of Ja'far bin Abû Ṭâlib. She had migrated with him to Abyssinia (Ethiopia) and bore him there children, among them was 'Abdullâh. Then Abû Bakr As-Siddiq married her after the martyrdom of Ja'far at the battle of Mu'ta, and she bore him Muhammad. 'Ali bin Abû Tâlib also married her after the death of Abû Bakr and she bore him Yahya. 'Umar used to ask her the interpretation of dreams. She died after the death of 'Ali.

[2] Hamna bint Jahsh is the sister of the 'Mother of the Believers' Zainab bint Jahsh. She was married to Mus'ab bin 'Umair, who was martyred during the battle of Uhud after which she was married by Talha bin 'Ubaidullâh.

And do so every month just as the other women menstruate (and are purified). But if you are strong enough[1] to delay the *Zuhr* prayer and advance the *'Asr* prayer, then take a bath and combine the *Zuhr* and the *'Asr* prayer; then delay the *Maghrib* prayer and advance the *'Ishâ'* prayer then take a bath and combine the two prayers, do so; and take a bath at *Fajr*." Allâh's Messenger صلى الله عليه وسلم said of the two types of actions: "This one appeals more to my liking (i.e. taking a bath for every prayer)". [Reported by *Al-Khamsa* except An-Nasâ'i, At-Tirmidhi graded it *Sahih* (sound) and Al-Bukhâri graded it *Hasan* (fair)].

وَصَلِّي، فَإِنَّ ذَلِكَ يُجْزِئُكِ، وَكَذَلِكَ فَافْعَلِي كُلَّ شَهْرٍ، كَمَا تَحِيضُ النِّسَاءُ، فَإِنْ قَوِيتِ عَلَى أَنْ تُؤَخِّرِي الظُّهْرَ وَتُعَجِّلِي الْعَصْرَ، ثُمَّ تَغْتَسِلِي حِينَ تَطْهُرِينَ، وَتُصَلِّينَ الظُّهْرَ وَالْعَصْرَ جَمِيعاً، ثُمَّ تُؤَخِّرِينَ الْمَغْرِبَ وَتُعَجِّلِينَ الْعِشَاءَ، ثُمَّ تَغْتَسِلِينَ وَتَجْمَعِينَ بَيْنَ الصَّلَاتَيْنِ، فَافْعَلِي، وَتَغْتَسِلِينَ مَعَ الصُّبْحِ وَتُصَلِّينَ، قَالَ: وَهُوَ أَعْجَبُ الْأَمْرَيْنِ إِلَيَّ». رَوَاهُ الْخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ الْبُخَارِيُّ.

**120.** Narrated 'Aisha رضي الله عنها: Umm Habiba bint Jahsh[2] complained to Allâh's Messenger صلى الله عليه وسلم about the blood (which flows beyond the menstruation period). He said, "Keep away (from prayer) the length of time that your menses prevented you, then take a bath (and offer prayers)". And she used to take a bath for every prayer.[3] [Reported by Muslim.]

(١٢٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ أُمَّ حَبِيبَةَ بِنْتَ جَحْشٍ شَكَتْ إِلَى رَسُولِ اللهِ ﷺ الدَّمَ، فَقَالَ: «امْكُثِي قَدْرَ مَا كَانَتْ تَحْبِسُكِ حَيْضَتُكِ، ثُمَّ اغْتَسِلِي»، وَكَانَتْ تَغْتَسِلُ لِكُلِّ صَلَاةٍ. رواه مسلم.

---

[1] In this *Hadîth*, Hamna was ordered to take a bath three times a day. One bath for *Zuhr* (ظهر) and *'Asr* (عصر) prayers and second for *Maghrib* (مغرب) and *'Ishâ'* (عشاء) and third for *Fajr* (فجر). In the preceding *Hadîth* Fatima bint Abû Hubaish was ordered merely to perform ablution before every prayer. It means in case of *Istihâda* (استحاضة) taking a bath is not compulsory but performing ablution is obligatory for every prayer. Taking a bath is preferable if weather conditions and health allows, otherwise there is no need to take bath.

[2] Habiba bint Jahsh was another sister of Zainab bint Jahsh, 'the Mother of the Believers' and she was married to 'Abdur-Rahmân bin 'Auf. Muslim narrated that she had a prolonged flow of blood for seven years. She died in 44H.

[3] It was only a precautionary or voluntary act of Umm Habiba to take a bath for every prayer. Authentic decision regarding this issue is to take a post-menstruation *Ghusl* (bath) and purify oneself. Concerning prolonged bleeding, there is an order to wash the blood and perform ablution for every prayer.

In a version of Al-Bukhâri is: "Perform ablution for every *Salât* (prayer)". It has been reported by Abû Dâ'ud and others in another version.

وَفِيْ رِوَايَةِ الْبُخَارِيِّ «وَتَوَضَّئِي لِكُلِّ صَلاَةٍ». وَهِيَ لأَبِيْ دَاوُدَ وَغَيْرِهِ مِنْ وَجْهٍ آخَرَ.

**121.** Narrated Umm 'Atiya[1] رضي الله عنها: We considered it nothing (as impure) the muddiness and yellowness (of the fluids) after purification[2] (from menstruation). [Reported by Al-Bukhâri and Abû Dâ'ud and version is of the latter].

(١٢١) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنَّا لاَ نَعُدُّ الْكُدْرَةَ وَالصُّفْرَةَ بَعْدَ الطُّهْرِ شَيْئاً. رَوَاهُ الْبُخَارِيُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ.

**122.** Narrated Anas رضي الله عنه: The Jews used not to eat with a woman during her menstruation period, so the Prophet صلى الله عليه وسلم said, "Do every thing else apart from sexual intercourse (with your wives)". [Reported by Muslim.]

(١٢٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ الْيَهُودَ كَانُوا إِذَا حَاضَتِ الْمَرْأَةُ فِيهِمْ لَمْ يُؤَاكِلُوهَا، فَقَالَ النَّبِيُّ ﷺ: «**اِصْنَعُوا كُلَّ شَيْءٍ إِلاَّ النِّكَاحَ**». رَوَاهُ مُسْلِمٌ.

**123.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to order me to put on an *Izâr*[3] and then caress[4] me while menstruating. [Agreed upon].

(١٢٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُنِي فَأَتَّزِرُ، فَيُبَاشِرُنِيْ وَأَنَا حَائِضٌ. مُتَّفَقٌ عَلَيْهِ.

---

[1] Her name was Nusaiba bint Ka'b or bint Al-Hârith Al-Ansâriya. She was among the prominent *Sahâbiya* women, and she used to accompany Allâh's Messenger صلى الله عليه وسلم to battles, nursing the sick and treating the injured. She fought during the battle of Uhud like heroes. She witnessed the washing of the body of the daughter of the Prophet صلى الله عليه وسلم which she perfected and narrated, and a number of *Sahâba* and *Tabi'i 'Ulama* at Basra recorded that from her. Her *Hadîth* is considered to be the basis of washing the dead. She was counted to be among the *Sahâbiya* who settled at Basra.

[2] In the narration of 'Aisha رضي الله عنها, yellow and dusty coloured water is considered as menses, but this *Hadîth* states: "We considered it nothing." Apparently both *Ahadîth* appear to be opposing each other, but actually both are correct in their context. If the yellow or dusty colour water oozes out in the menstruation period, it will be considered as 'menses'; and if it percolates after the period, it is 'nothing' as the word *B'ad At-Tuhr* (بعد الطهر) gives the clue.

[3] A clothe worn from the waistline downwards like a skirt.

[4] Those who do not belive in the *Ahadîth* (i.e. deniers of *Sunna*), create ambiguity and doubt at this point, and make the people suspicious about the *Ahadîth*. They assert that sexual intercourse in menstruation periods is prohibited by the noble Qur'ân but according to this

**124.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said regarding a husband who has sexual intercourse with his wife during her menstruation period, "He should give out (as atonement) one Dinar or ½ Dinar as alms." [Reported by *Al-Khamsa.* Al-Hâkim and Ibn Al-Qattân graded it *Sahih* (sound). And others considered it to be *Mawquf* (untraceable)].[1]

(١٢٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، فِي الَّذِي يَأْتِي امْرَأَتَهُ وَهِيَ حَائِضٌ، قَالَ: «يَتَصَدَّقُ بِدِينَارٍ أَوْ بِنِصْفِ دِينَارٍ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ الْحَاكِمُ وَابْنُ الْقَطَّانِ، وَرَجَّحَ غَيْرُهُمَا وَقْفَهُ.

**125.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Is it not the case that a woman in her menstruation period neither prays nor fasts?"[2] [Agreed upon. It is part of a long *Hadîth.*]

(١٢٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَلَيْسَ إِذَا حَاضَتِ الْمَرْأَةُ لَمْ تُصَلِّ وَلَمْ تَصُمْ؟». مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

**126.** Narrated 'Aisha رضي الله عنها: When we came to a place called Sarif, I menstruated and the Prophet صلى الله عليه وسلم told me, "Do what a pilgrim does except that you don't circumambulate round the Ka'ba until you are purified". [Agreed upon and it is part of a long *Hadîth.*]

(١٢٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمَّا جِئْنَا سَرِفَ حِضْتُ، فَقَالَ النَّبِيُّ ﷺ: «افْعَلِي مَا يَفْعَلُ الْحَاجُّ، غَيْرَ أَنْ لَا تَطُوفِي بِالْبَيْتِ حَتَّى تَطْهُرِي». مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

---

*Hadîth* the Prophet would do it during that period, therefore, *Hadîth* is not true. Literal meaning of *Mubâsharat* (مباشرة) is to touch and rub the body with the body, and speaking metaphorically it means coition. In other *Ahadîth* it has been clarified that sexual intercourse is strictly forbidden during menstruation, thus, it is quite a dishonesty to translate the word *Mubâsharat* (مباشرة) as sexual intercourse instead of 'fondling' and create the suspicion.

[1] This is a *Da'if* (weak) *Hadîth*, therefore, most of the religious scholars do not deem it necessary to expiate, although some of the scholars are in favour of this opinion; but first opinion is correct because order is only for encouraging charity.

[2] This is a small portion of a long *Hadîth*. The noble Prophet صلى الله عليه وسلم while delivering a *Khutba* (religious talk) to the women, told them that their religion was imperfect. They asked, "How?" In the answer to their question, he spoke these words which mean that a menstruating women should not pray or fast.

**127.** Narrated Mu'âdh رضي الله عنه: He asked the Prophet صلى الله عليه وسلم, "What is lawful for a man regarding his wife when she is menstruating?" and he replied, "What is above the waist wrapper (*Izâr*)."[1] [Reported by Abû Dâ'ud and graded it *Da'if*.]

(١٢٧) وَعَنْ مُعاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَأَلَ النَّبِيَّ ﷺ، مَا يَحِلُّ لِلرَّجُلِ مِنَ امْرَأَتِهِ وَهِيَ حَائِضٌ؟ فَقَالَ: «مَا فَوْقَ الْإِزَارِ». رَوَاهُ أَبُو دَاوُدَ، وضَعَّفَهُ.

**128.** Narrated Umm Salama رضي الله عنها: During the time of the Prophet صلى الله عليه وسلم the women having bleeding after delivery (postnatal or puerperal blood) would refrain (from prayer) for forty days.[2] [Reported by *Al-Khamsa* except An-Nasâ'i, and the version is that of Abû Dâ'ud].

(١٢٨) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَتِ النُّفَسَاءُ تَقْعُدُ على عَهْدِ النَّبِيِّ ﷺ بَعْدَ نِفَاسِهَا أَرْبَعِينَ يَوْماً. رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَاللَّفْظُ لِأَبِي دَاوُدَ.

And in another version of Abû Dâ'ud: "The Prophet صلى الله عليه وسلم did not command her to repeat the prayers (abandoned during the period of bleeding)." And Al-Hâkim graded it *Sahih* (sound).

وَفِي لَفْظٍ لَهُ: وَلَمْ يَأْمُرْهَا النَّبِيُّ ﷺ بِقَضَاءِ صَلاَةِ النِّفَاسِ. وَصَحَّحَهُ الْحَاكِمُ.

---

[1] "Everything above the *Izâr* (dress worn below the waist)" [ما فوق الإزار] may have two meanings: First, the *Izâr* may be a figurative speech for 'sexual intercourse', in other words, except sexual intercourse everything is permitted. Secondly, it may metaphorically mean the portion of body related to *Izâr*. But this meaning will contradict the other *Hadîth* stating: "Do everything except intercourse." [اصنعوا كل شيء إلا النكاح]. Therefore, first meaning is preferable.

[2] It means the maximum period of puerperal blood is forty days and minimum time for it is not fixed. If it continues more than forty days, it will be regarded as *Istihâda* (bleeding between periods) which is not a hindrance for prayer, fasting and having sexual intercourse. Every command for puerperium is identical to that of menstruation.

# 2. THE BOOK OF PRAYER

# (٢) كِتَابُ الصَّلَاةِ

## Chapter 1 THE TIMES OF *SALAT* (PRAYERS)

## ١ - بَابُ الْمَوَاقِيتِ

**129.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "The time of the *Zuhr* (noon) prayer[1] is when the sun passes the meridian and a man's shadow is of the same length as his height. It lasts until the time of the *'Asr* (afternoon) prayer. The time of the *'Asr* prayer is as long as the sun has not become yellow (during its setting). The time of the *Maghrib* (sunset) prayer[2] is as long as the twilight[3] has not disappeared. The time of the *'Ishâ'* (night) prayer is up to midnight. And the time of the *Fajr* (morning) prayer is from the appearance of dawn as long as the sun has not risen; (but when the sun rises abstain from prayer; for it rises between horns of the Satan)." [Reported by Muslim].

(١٢٩) عَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ قَالَ: «وَقْتُ الظُّهْرِ إِذَا زَالَتِ الشَّمْسُ، وَكَانَ ظِلُّ الرَّجُلِ كَطُولِهِ، مَا لَمْ يَحْضُرِ الْعَصْرُ، وَوَقْتُ الْعَصْرِ مَا لَمْ تَصْفَرَّ الشَّمْسُ، وَوَقْتُ صَلَاةِ الْمَغْرِبِ مَا لَمْ يَغِبِ الشَّفَقُ، وَوَقْتُ صَلَاةِ الْعِشَاءِ إِلَى نِصْفِ اللَّيْلِ الْأَوْسَطِ، وَوَقْتُ صَلَاةِ الصُّبْحِ مِنْ طُلُوعِ الْفَجْرِ مَا لَمْ تَطْلُعِ الشَّمْسُ». رَوَاهُ مُسْلِمٌ.

Narrated Buraida[4] (رضي الله عنه) in

وَلَهُ مِنْ حَدِيثِ بُرَيْدَةَ فِي الْعَصْرِ:

[1] It means that the time for *Zuhr* (ظهر) prayer is up to the same size shadow [from the start of sun's decline up to the time when a man's height and the size of his shadow are equal in length]; and after that, the time of *'Asr* (عصر) prayer starts. Some of the religious scholars consider the time of *Zuhr* prayer up to double-size shadow, but this is not proved by any authentic *Hadîth*.

[2] This *Hadîth* tells that *Maghrib* (مغرب) prayer also has two timings, early and late. In the *Hadîth of Jibrael* only one time is mentioned for *Maghrib* prayer on both days, but this was an affair of early period of Islâm. Later on, in Al-Madina, time for the *Maghrib* prayer was extended.

[3] *Shafaq* (شفق) – twilight is a redness on the western horizon at evening after sunset, as its description is given in the narration of Ad-Dâraqutni.

[4] He is Abû 'Abdullâh Buraida bin Al-Husaib Al-Aslami. He believed in Islâm together with eighty of his colleagues when the Prophet صلى الله عليه وسلم passed him on his way to the migration to Al-Madina. He then came to the Prophet صلى الله عليه وسلم after the battle of Uhud and then took part in the other battles. He also attended *Al-Hudaibiya* and

another version of above *Hadîth* regarding *'Asr* (afternoon prayer): "When the sun is white[1] and clear." [Reported by Muslim]. And Abû Musa[2] (رضي الله عنه) narrated regarding the time of *'Asr* prayer: "While the sun is high.[3]" [Reported by Muslim in another version of the former *Hadîth*].

«وَالشَّمْسُ بَيْضَاءُ نَقِيَّةٌ» وَمِنْ حَدِيثِ أَبِي مُوسَى: «وَالشَّمْسُ مُرْتَفِعَةٌ».

**130.** Narrated Abû Barza Al-Aslami[4] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to offer the *'Asr* prayer (and after the prayer) one of us would return to his house at the furthest end of Al-Madîna and arrive while the sun was still hot and bright. And he (صلى الله عليه وسلم) loved to delay the *'Ishâ'* prayer, and he disliked sleeping before it and conversation after it.[5] After the *Fajr* prayer he used to leave

(١٣٠) وَعَنْ أَبِي بَرْزَةَ الأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي الْعَصْرَ، ثُمَّ يَرْجِعُ أَحَدُنَا إِلَى رَحْلِهِ فِي أَقْصَى الْمَدِينَةِ وَالشَّمْسُ حَيَّةٌ، وَكَانَ يَسْتَحِبُّ أَنْ يُؤَخِّرَ مِنَ الْعِشَاءِ، وَكَانَ يَكْرَهُ النَّوْمَ قَبْلَهَا وَالْحَدِيثَ بَعْدَهَا، وَكَانَ يَنْفَتِلُ مِنْ صَلاةِ الْغَدَاةِ حِينَ يَعْرِفُ الرَّجُلُ جَلِيسَهُ، وَكَانَ يَقْرَأُ

---

*Bai'at-ur-Ridwân.* He settled at Basra then went with an expedition to Khurâsân settling at Marw where he died and was buried in 62H. or 63 H.

[1] It means that *'Asr* (عصر) prayer should be offered in its early time. After the same size shadow, there is time for four *Rak'at* only which is common between *Zuhr* and *'Asr* prayers. After that, time for *'Asr* begins.

[2] 'Abdullâh bin Qais Al-Ash'ari was one of the most eminent *Sahâba.* He migrated to Abyssinia (Ethiopia) and then came to the Prophet صلى الله عليه وسلم at Khaibar. He was assigned to administer Zabid and 'Aden and then became 'Umar's governor for Kufa and Basra. He was instrumental in the conquest of Tastar and several other towns. He probably died in 42 H. or in another year.

[3] All the mentioned narrations confirm that every *Salât* (prayer) has its 'early time' and 'late time' [time of prayer to be offered], but every *Salât* (prayer) should be offered in its early time.

[4] He is Nadla bin 'Ubaid. He became a Muslim very early and witnessed the conquest of Makka and the other important battles. He settled at Basra, then Khurâsân and died at Marw or Basra in 60 H. or 64 H.

[5] After *'Isha'* prayer it has been prevented to talk. The motive behind this prevention is that the sins of a believer are pardoned after his offering the prayer, and it is better to go to bed than to talk and indulge oneself in worldly affairs. After offering *'Isha'* prayer, going to bed earns double benefit: first, to save oneself from sins and, secondly, that the prayer will be regarded his last action before sleep.

when a man could recognize the one sitting beside him and he used to recite between 60 to 100 verses of the Qur'ân in the *Fajr* prayer. [Agreed upon].

بِالسِّتِّينَ إِلَى الْمَائَةِ. مُتَّفَقٌ عَلَيْهِ.

Narrated Jâbir, in the version of Al-Bukhâri and Muslim: (The Prophet صلى الله عليه وسلم ) used to advance the *'Ishâ'* prayer sometimes and delay it at other times. Whenever he saw the people assembled (for the *'Ishâ'* prayer) he would pray early and if the people delayed, he would delay the prayer. And the Prophet صلى الله عليه وسلم used to offer the *Fajr* prayer when it was still dark.[1]

وَعِنْدَهُمَا مِنْ حَدِيثِ جَابِرٍ: «وَالْعِشَاءَ أَحْيَاناً يُقَدِّمُهَا، وَأَحْيَاناً يُؤَخِّرُهَا، إِذَا رَآهُمُ اجْتَمَعُوا عَجَّلَ وَإِذَا رَآهُمْ أَبْطَؤُوا أَخَّرَ، وَالصُّبْحَ كَانَ النَّبِيُّ ﷺ يُصَلِّيهَا بِغَلَسٍ.

Narrated Abû Mûsa (رضي الله عنه) in another version of Muslim: He (صلى الله عليه وسلم) offered the *Fajr* prayer at daybreak when the people could hardly recognize one another.

وَلِمُسْلِمٍ مِنْ حَدِيثِ أَبِي مُوسَى: «فَأَقَامَ الْفَجْرَ حِينَ انْشَقَّ الْفَجْرُ، وَالنَّاسُ لَا يَكَادُ يَعْرِفُ بَعْضُهُمْ بَعْضاً».

**131.** Narrated Râfi' bin Khadij[2] رضي الله عنه: We used to offer the *Maghrib* prayer with Allâh's Messenger صلى الله عليه وسلم and then one of us would go (out of the mosque) and be able to see the spot his arrow would fall at. [Agreed upon].

(١٣١) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي الْمَغْرِبَ مَعَ رَسُولِ اللهِ ﷺ، فَيَنْصَرِفُ أَحَدُنَا وَإِنَّهُ لَيُبْصِرُ مَوَاقِعَ نَبْلِهِ. مُتَّفَقٌ عَلَيْهِ.

**132.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم delayed (the *'Ishâ'* prayer) one night till great part of the night passed, then he went out

(١٣٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَعْتَمَ النَّبِيُّ ﷺ ذَاتَ لَيْلَةٍ بِالْعِشَاءِ، حَتَّى ذَهَبَتْ عَامَّةُ اللَّيْلِ، ثُمَّ خَرَجَ

[1] Regarding the time of *Fajr* (morning) prayer, there are various opinions and conjectures of the Companions of the Prophet صلى الله عليه وسلم. In this *Hadîth*, the Arabic word *Ghalas* (غلس) means when dawn appears in the darkness of night.

[2] He is an *Ansâri* nicknamed Abû 'Abdullâh. He missed Badr due to young age, but took part in Uhud and the battles that followed. He died in the year 73 H. or 74 H. at the age of 86 years.

and offered the prayer, and said, "This is the proper time for it;[1] were it not that I would impose a burden on my followers." [Reported by Muslim].

فَصَلَّى، وَقَالَ: «إِنَّهُ لَوَقْتُهَا، لَوْلَا أَنْ أَشُقَّ عَلَى أُمَّتِي». رَوَاهُ مُسْلِمٌ.

**133.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When it is hot, delay the (*Zuhr*) prayer till it cools down,[2] for the intensity of heat is from the exhalation of Hell." [Agreed upon].

(١٣٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا اشْتَدَّ الْحَرُّ فَأَبْرِدُوا بِالصَّلَاةِ، فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْحِ جَهَنَّمَ». مُتَّفَقٌ عَلَيْهِ.

**134.** Narrated Rafi' bin Khadij رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Offer the morning prayer at dawn,[3] for it is greater for your rewards." [Reported by *Al-Khamsa*. At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(١٣٤) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَصْبِحُوا بِالصُّبْحِ، فَإِنَّهُ أَعْظَمُ لِأُجُورِكُمْ». رَوَاهُ الْخَمْسَةُ وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**135.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "He who prays a *Rak'a* of the *Fajr* prayer before the sun rises, has offered the dawn prayer at its time, and he who prays a *Rak'a* of the *'Asr* prayer before the sun sets has offered the afternoon prayer." [Agreed upon].

Muslim reported the same above *Hadîth* in another version narrated by 'Aisha رضي الله عنها who narrated '*Sajda*

(١٣٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ أَدْرَكَ مِنَ الصُّبْحِ رَكْعَةً قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ فَقَدْ أَدْرَكَ الصُّبْحَ، وَمَنْ أَدْرَكَ رَكْعَةً مِنَ الْعَصْرِ قَبْلَ أَنْ تَغْرُبَ الشَّمْسُ فَقَدْ أَدْرَكَ الْعَصْرَ». مُتَّفَقٌ عَلَيْهِ.

وَلِمُسْلِمٍ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى

[1] It is preferable to offer the *'Isha'* prayer as late as possible. This order is exclusively for *'Isha'* prayer only and not for any other prayer. The Prophet صلى الله عليه وسلم used to wait for and delay this prayer.

[2] In summer, whether the *Zuhr* prayer be offered in its early time or late, there is a difference of opinion regarding this issue. But it is appropriate to make a little delay, until one could walk in the shade of walls. According to Abû Dâ'ud and Nasâ'i, the noble Prophet صلى الله عليه وسلم used to delay the *Zuhr* prayer till the shadow becomes three to five footsteps long.

[3] It only means that morning light should appear clearly and there should be no doubt in it, therefore, this *Hadîth* is not contrary to the *Hadîth* of "darkness" (*Ghalas* غلس). Another aspect is that the prayer should be started in the darkness and the recitation should be prolonged until the light of morning appears clearly.

(prostration)' instead of '*Rak'a* (prayer unit)' and then he (Muslim) said, "A *Sajda* implies a *Rak'a*."

عَنْهَا نَحْوَهُ، وَقَالَ: «سَجْدَةً» بَدَلَ «رَكْعَةً» ثُمَّ قَالَ: وَالسَّجْدَةُ إِنَّمَا هِيَ الرَّكْعَةُ.

**136.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying: "No *Salât* (prayer) is to be offered after the morning prayer until the sun rises[1], or after the afternoon prayer until the sun sets." [Agreed upon]. And in the version of Muslim: "There is no *Salât* (prayer) after the *Fajr* (morning) prayer."

(١٣٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**لَا صَلَاةَ بَعْدَ الصُّبْحِ حَتَّى تَطْلُعَ الشَّمْسُ وَلَا صَلَاةَ بَعْدَ الْعَصْرِ حَتَّى تَغِيبَ الشَّمْسُ**». مُتَّفَقٌ عَلَيْهِ، وَلَفْظُ مُسْلِمٍ: «لَا صَلَاةَ بَعْدَ صَلَاةِ الْفَجْرِ».

'Uqba bin 'Aamir[2] رضى الله عنه narrated: "There are three times at which Allâh's Messenger صلى الله عليه وسلم used to forbid us to pray or bury[3] our dead: (a) when the sun begins to rise till it is fully up, (b) when the sun is at its height at midday till it passes the meridian, and (c) when the sun draws near to setting till it sets." [Reported by Muslim].

وَلَهُ عَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: ثَلَاثُ سَاعَاتٍ كَانَ رَسُولُ اللَّهِ ﷺ يَنْهَانَا أَنْ نُصَلِّيَ فِيهِنَّ وَأَنْ نَقْبُرَ فِيهِنَّ مَوْتَانَا: حِينَ تَطْلُعُ الشَّمْسُ بَازِغَةً حَتَّى تَرْتَفِعَ، وَحِينَ يَقُومُ قَائِمُ الظَّهِيرَةِ حَتَّى تَزُولَ الشَّمْسُ، وَحِينَ تَتَضَيَّفُ الشَّمْسُ لِلْغُرُوبِ.

---

[1] It means that from dawn to sunrise and from *'Asr* to sunset, voluntary prayers (*Nawafil* نوافل) are unpermissible. Two *Rak'at* before obligatory morning prayer (*Fajr* فجر) are excluded from this command, as it is proved from the noble Prophet صلى الله عليه وسلم. Though these two *Rak'at* are offered before obligatory prayer but if these are missed, can be offered after the obligatory prayer as it is reported in Tirmidhi.

[2] 'Uqba bin 'Aamir was a Juhani nicknamed Abû Hammâd or Abû 'Aamir. He became a Muslim, migrated and accompanied the Prophet صلى الله عليه وسلم very early. He read the Qur'ân a lot, was knowledgeable in the inheritance and jurisprudence and was learned and a poet. He was allocated a land in Basra, and took part in Siffin with Mu'âwiya. He later governed Egypt for Mu'âwiya for three years and became incharge of the sea expeditions. He died in 58 H. in Egypt and was buried at Al-Muqtam.

[3] Here "burial" means Funeral prayers. Funeral prayers should not be offered in these times, but the burial of a dead body is permissible. According to certain scholars, even burial is not allowed. Therefore, in such a situation it means that burial should not be deliberated at this time, but if time happens while performing the rites of funeral or there is no other way, then burial is permissible.

Ash-Shâfi'i رحمه الله تعالى reported a second ruling[1] of the aforementioned *Hadîth* narrated by Abû Huraira (رضي الله عنه) through a weak *Sanad* and added: "Except on Friday". Abû Dâ'ud reported something similar from Abû Qatâda (رضي الله عنه).

وَالْحُكْمُ الثَّانِي عِنْدَ الشَّافِعِيِّ رَحِمَهُ اللَّهُ تَعَالَى مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِسَنَدٍ ضَعِيفٍ، وَزَادَ: «إِلَّا يَوْمَ الْجُمُعَةِ» وَكَذَا لِأَبِي دَاوُدَ عَنْ أَبِي قَتَادَةَ نَحْوُهُ.

**137.** Narrated Jubair bin Mut'im[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "O descendants of Abd Manâf! You must not prevent anyone who goes round this House (Ka'ba) and prays at any hour of the night or day that he wishes." [Reported by *Al-Khamsa*, At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(١٣٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«يَا بَنِي عَبْدِ مَنَافٍ لَا تَمْنَعُوا أَحَداً طَافَ بِهَذَا الْبَيْتِ، وَصَلَّى أَيَّةَ سَاعَةٍ شَاءَ مِنْ لَيْلٍ أَوْ نَهَارٍ»**. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**138.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "The twilight is the redness." [Reported by Ad-Dâraqutni. Ibn Khuzaima graded it *Sahih* (sound) and others graded it *Mawqûf* (untraceable)].

(١٣٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: **«الشَّفَقُ الْحُمْرَةُ»**. رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَ ابْنُ خُزَيْمَةَ وَغَيْرُهُ وَقْفَهُ.

**139.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said that, "Dawn is of two types; the dawn in which eating is forbidden (for the fasting person) and prayer is permitted and the dawn in which prayer is forbidden i.e. the morning prayer and eating is permitted." [Reported by Ibn Khuzaima and Al-Hâkim who graded it *Sahih*]. Al-Hâkim reported something similar

(١٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْفَجْرُ فَجْرَانِ، فَجْرٌ يُحَرِّمُ الطَّعَامَ وَتَحِلُّ فِيهِ الصَّلَاةُ، وَفَجْرٌ تَحْرُمُ فِيهِ الصَّلَاةُ،** أَيْ صَلَاةُ الصُّبْحِ، **وَيَحِلُّ فِيهِ الطَّعَامُ»**. رَوَاهُ ابْنُ خُزَيْمَةَ وَالْحَاكِمُ، وَصَحَّحَاهُ، وَلِلْحَاكِمِ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ، وَزَادَ فِي الَّذِي يُحَرِّمُ الطَّعَامَ: إِنَّهُ يَذْهَبُ

---

[1] The second ruling means noon time, no prayer should be offered at this time, but Friday is excluded from this order. On Friday it is permitted to pray at decline, as it is evident from a *Hadîth* reported by Abû Huraira.

[2] He is Abû Muhammad or Abû 'Umaiya Jubair bin Mut'im bin 'Adi bin Naufal Al-Qurashi. He was very tolerant, sober and knowledgeable in the lineage of Quraish. He became a Muslim before the *Fath* (conquest of Makka) and settled at Al-Madîna and died there in 54 H. or 57 H. or 59 H.

to the above *Hadîth* from Jâbir and added to the type of dawn in which eating is forbidden: "it is spread widely in the horizon," and to the other type: "it has the shape of a wolf's tail."

مُسْتَطِيلاً فِي الأُفُقِ. وَفِي الآخَرِ: «إِنَّهُ كَذَنَبِ السِّرْحَانِ».

**140.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "One of the best deeds is to offer *Salât* (prayer) in its early time."[1] [Reported by At-Tirmidhi and Al-Hâkim who graded it *Sahih*. Its origin is in the *Sahihain* of Al-Bukhâri and Muslim].

(١٤٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**أَفْضَلُ الأَعْمَالِ الصَّلاةُ فِي أَوَّلِ وَقْتِهَا**». رَوَاهُ التِّرْمِذِيُّ وَالْحَاكِمُ، وَصَحَّحَاهُ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ.

**141.** Narrated Abû Mahdhûra رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The earliest time of prayer is what pleases Allâh, the midtime is for the blessing of Allâh and the latest time is what Allâh allows as a concession." [Reported by Ad-Dâraqutni with a very weak *Sanad*], At-Tirmidhi has reported the same, narrated by Ibn 'Umar, without mentioning about the midtime. [It is *Da'if* too].

(١٤١) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: **أَوَّلُ الْوَقْتِ رِضْوَانُ اللهِ، وَأَوْسَطُهُ رَحْمَةُ اللهِ، وَآخِرُهُ عَفْوُ اللهِ**». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِسَنَدٍ ضَعِيفٍ جِدًّا وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ ابْنِ عُمَرَ نَحْوُهُ دُونَ الأَوْسَطِ وَهُوَ ضَعِيفٌ أَيْضاً.

**142.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "There is no *Salât* (prayer) after the break of dawn except two *Rak'a* of *Fajr*."[2] [Reported by *Al-Khamsa* except An-Nasâ'i].

(١٤٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**لاَ صَلاَةَ بَعْدَ الْفَجْرِ إِلاَّ سَجْدَتَيْنِ**». أَخْرَجَهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ.

[1] In this *Hadîth* a prayer offered at its early time is regarded as a superior act. In some other *Ahadîth*, *Imân* (belief — ايمان), *Sadaqa* (charity — صدقة), and *Jihâd* (fighting in Allâh's cause — جهاد) are described as the superior acts. These *Ahadîth* are accordant in the way that belief is an action of credence, prayer is an action of body, charity is an action of wealth, and *Jihâd* is an action of youth and health. Therefore, these are all superior acts in their own way and place, and there is no contradiction among them.

[2] It means that after the appearance of dawn, voluntary (*Nawafil*) prayers are undesirable; but two *Sunna Rak'at* are excepted and can be offered after the morning (*Fajr*) obligatory prayer, as the reference of Tirmidhi was quoted before.

In another version: 'Abdur-Razzâq also narrated: "There is no *Salât* (prayer) after the break of dawn except the two (*Sunna*) *Rak'a* of *Fajr*."[1]

وَفِي رِوَايَةِ عَبْدِ الرَّزَّاقِ: «لَا صَلَاةَ بَعْدَ طُلُوعِ الْفَجْرِ إِلَّا رَكْعَتَيِ الْفَجْرِ» وَمِثْلُهُ لِلدَّارَقُطْنِيِّ عَنِ ابْنِ عَمْرِو بْنِ الْعَاصِ.

**143.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم came to my house after offering *'Asr* prayer and offered two *Rak'a,* then I asked him about that and he replied, "I was kept busy (and failed to pray) the two (*Sunna*) *Rak'a* after *Zuhr* prayer, so I offered them now." I asked him, "Should we offer them if we miss them?" He (صلى الله عليه وسلم) replied, "No."[2] [Reported by Ahmad], the version of Abû Dâ'ud by 'Aisha رضي الله عنها has the same meaning.

(١٤٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: صَلَّى رَسُولُ اللهِ ﷺ الْعَصْرَ، ثُمَّ دَخَلَ بَيْتِي، فَصَلَّى رَكْعَتَيْنِ، فَسَأَلْتُهُ فَقَالَ: شُغِلْتُ عَنْ رَكْعَتَيْنِ بَعْدَ الظُّهرِ فَصَلَّيْتُهُمَا الْآنَ. قُلْتُ: أَفَنَقْضِيهِمَا إِذَا فَاتَتَا قَالَ: «لَا». أَخْرَجَهُ أَحْمَدُ، وَلِأَبِي دَاوُدَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا بِمَعْنَاهُ.

## Chapter 2
## *AL-ADHÂN*[3]
## (THE CALL TO PRAYER)

## ٢ - بَابُ الْأَذَانِ

**144.** Narrated 'Abdullâh bin Zaid bin Abd-Rabbihi[4] رضي الله عنه: A man

(١٤٤) عَنْ عَبْدِ اللهِ بْنِ زَيْدِ بن عَبْدِ

[1] The two *Rak'a* are the *Sunna* ones before the obligatory *Fajr* prayer which the Prophet صلى الله عليه وسلم never used to leave even after the break of dawn, as indicated by this *Hadith* and others.

[2] This *Hadith* gives the information that after *'Asr* prayer, offering of the missed supererogatory prayers was only for the noble Prophet صلى الله عليه وسلم, others are not allowed to offer the supererogatory or the voluntary prayers. The Prophet صلى الله عليه وسلم prayed because some people of the tribe of Abdul-Qais came to him and some goods of charity were also brought, their visit and distribution of goods made him late.

[3] The words of *Adhân* (أذان — call to prayer) are Divinely fixed. These words cannot be lessened or added, changed or interchanged. These words were inspired to 'Abdullâh bin Zaid Ansâri and 'Umar bin Khattâb by an angel in the dream and were affirmed by the Prophet صلى الله عليه وسلم and obtained the status of Revelation. There is also an indication in the noble Qur'ân about it.

[4] 'Abdullâh is an *Ansâri*, a Khazraji and was nicknamed Abû Muhammad. He witnessed Al-'Aqaba, Badr and the important battles. He was shown how to call for prayers in a dream during the first year of the migration, after the building of the Prophet's Mosque. He died in the year 32 H. at the age of 64 years.

appeared to me while I was asleep[1] and told me to say, "*Allâhu Akbar, Allâhu Akbar* (Allâh is the Most Great, Allâh is the Most Great)" and he mentioned the *Adhân* with *Allâhu Akbar* four times without *Tarji'*,[2] and the *Iqâma* once except *Qad qâmat-is-Salâh*[3] (the prayer stood ready to begin), (he repeated it twice). He ('Abdullâh) said when it was morning I went to Allâh's Messenger صلى الله عليه وسلم and he said, "It is a true vision..." [Reported by Ahmad and Abû Dâ'ud , At-Tirmidhi and Ibn Khuzaima graded it *Sahih* (sound)].

رَبِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: طَافَ بِي - وَأَنَا نَائِمٌ - رَجُلٌ، فَقَالَ: تَقُولُ «اللَّهُ أَكْبَرُ اللَّهُ أَكْبَرُ» فَذَكَرَ الْأَذَانَ بِتَرْبِيعِ التَّكْبِيرِ بِغَيْرِ تَرْجِيعٍ، وَالْإِقَامَةَ فُرَادَى، إِلَّا «قَدْ قَامَتِ الصَّلَاةُ» قَالَ: فَلَمَّا أَصْبَحْتُ أَتَيْتُ رَسُولَ اللَّهِ ﷺ، فَقَالَ: «إِنَّهَا لَرُؤْيَا حَقٌّ»، الحديث أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

Ahmad added to the end of the above *Hadîth,* the story of Bilal's[4] statement in the *Fajr Adhân* (morning-prayer call): *As-Salâtu*

وَزَادَ أَحْمَدُ فِي آخِرِهِ قِصَّةَ قَوْلِ بِلَالٍ فِي أَذَانِ الْفَجْرِ «الصَّلَاةُ خَيْرٌ مِنَ النَّوْمِ».

---

[1] It happened that when the Muslims increased in number, the problem of calling for prayer arose. Different suggestions were forwarded. Some suggested to blow the conch, the Prophet صلى الله عليه وسلم answered that this was the way of Jews. Some others suggested to lit fire. The Prophet صلى الله عليه وسلم answered that this was the practice of the Magians. No decision was made. Same night 'Abdullâh bin Zaid dreamed that a man was standing with a conch in his hand. 'Abdullâh asked him whether he would sell it? The man asked 'Abdullâh about the purpose of the purchase. 'Abdullâh told him that he would call the Muslims for prayer by blowing it. He asked him about telling a better way than that, and recited the words of *Adhân* (call to the prayer). In the morning 'Abdullâh told this dream to the Prophet صلى الله عليه وسلم and he testified the dream to be true.

[2] *Tarji'* (doubling, repeating or getting back) is to utter the words of testimony (*Shahâdatain* i.e. *Ash-hadu an lâ ilâha ill-Allâh, Ash-hadu anna Muhamadan Rasûlullâh*) twice with a low voice, then utter them with a loud voice.

[3] In *Iqâma* (call to the start of prayer) all the other words of *Takbir* (glorification of Allâh — but here means *Iqâma*) are uttered once except the words 'قد قامت الصلاة' (meaning: The prayer stood ready to begin) which are to be repeated twice.

[4] He is Bilâl bin Rabâh, a manumitted slave of Banu Taim. He became a Muslim very early and was tortured in the cause of Allâh. He fought in Badr and in all the other major battles. He was the *Mu'adhdhin* of Allâh's Messenger صلى الله عليه وسلم and never announced the *Adhân* for anyone else except one (time when he came back from Damascus, where he had settled at, to Al-Madîna. It is said that he did not finish it due to the noise made by the weeping *Sahâba* out of nostalgia. He died in Shâm in 17H. or 18 H. or 20 H. at the age of sixty and something years and did not leave behind any children.

*khairun minan-nawm* - "Prayer is better than sleep".

Ibn Khuzaima reported from Anas رضي الله عنه: "It pertains to the *Sunna* that when the *Mu'adhdhin* says at *Fajr* (prayer time): '*Haiya 'alal-Falâh* (Come to the success)', he says (again) '*As-Salâtu khairun minan-naum* (Prayer is better than sleep).'"

وَلابْنِ خُزَيْمَةَ عَنْ أَنَسٍ قَالَ: مِنَ السُّنَّةِ إِذَا قَالَ الْمُؤَذِّنُ فِي الْفَجْرِ «حَيَّ عَلَى الْفَلَاحِ» قَالَ: «الصَّلَاةُ خَيْرٌ مِنَ النَّوْمِ».

**145.** Narrated Abû Mahdhûra رضي الله عنه: The Prophet صلى الله عليه وسلم taught him the *Adhân* (call to prayer) and he (the narrator) mentioned the *Tarji'* in it. [Muslim reported it, but mentioned the phrase (*Takbir*) "Allâh is the Most Great" at its beginning just twice.[1] *Al-Khamsa* reported it, but mentioned the *Takbir* four times].

(١٤٥) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ عَلَّمَهُ الأَذَانَ، فَذَكَرَ فِيهِ التَّرْجِيعَ. أَخْرَجَهُ مُسْلِمٌ، وَلٰكِن ذَكَرَ التَّكْبِيرَ فِي أَوَّلِهِ مَرَّتَيْنِ فَقَطْ، وَرَوَاهُ الْخَمْسَةُ فَذَكَرُوهُ مُرَبَّعاً.

**146.** Narrated Anas رضي الله عنه: Bilâl was commanded to announce the *Adhân* (each phrase) twice[2] and the *Iqâma* (each phrase) once[3] except "The prayer stood ready to begin" (to be pronounced twice). [Agreed upon; but Muslim did not mentioned the exception]. A version of An-Nasâ'i has: "Bilâl was ordered by the Prophet صلى الله عليه وسلم."

(١٤٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أُمِرَ بِلَالٌ أَن يَشْفَعَ الأَذَانَ، وَيُوتِرَ الإِقَامَةَ إِلاَّ الإِقَامَةَ. يَعْنِي إِلاَّ قَوْلَهُ. قَدْ قَامَتِ الصَّلَاةُ. مُتَّفَقٌ عَلَيْهِ، وَلَمْ يَذْكُرْ مُسْلِمٌ الاسْتِثْنَاءَ، وَلِلنَّسَائِيِّ: أَمَرَ النَّبِيُّ ﷺ بِلَالاً.

**147.** Narrated Abû Juhaifa[4] رضي الله عنه: I saw Bilâl calling for prayer and I

(١٤٧) وَعَنْ أَبِي جُحَيْفَةَ رَضِيَ اللَّهُ

[1] At the start of *Adhân* (call to prayer) the words *Allâhu Akbar* (Allâh is the Most Great — الله اكبر) should be repeated four times, repeating them twice is not correct as the Five (*Al-Khamsa* — Abû Dâ'ud, Tirmidhi, Nasâ'i, Ibn Mâjah and Ahmad) have narrated it.

[2] *Adhân* (the call to prayer) with *Tarji'* and without *Tarji'* is allowed, in the same way *Iqâma* is also allowed in single or double. But it is preferable to announce the *Adhân* with *Tarji'* and the *Iqâma* without repetition.

[3] It means that the words قد قامت الصلاة (prayer stood ready to begin) should be repeated twice and the rest of the words be uttered only once.

[4] Abû Juhaifa's name is Wahab bin 'Abdullâh As-Suwâ'i Al-'Aamiri who was among the young *Sahâba*. He settled at Kufa. 'Ali made him the incharge of *Bait-ul-Mâl* and he witnessed with him all the battles. He died at Kufa in 74 H.

would follow (looking at) his mouth (as he turned it) this (right) side and that (left) side[1] with his fingers in his ears. [Reported by Ahmad and At-Tirmidhi who graded it *Sahih* (sound)].

تَعَالَى عَنْهُ قَالَ: رَأَيْتُ بِلَالاً يُؤَذِّنُ، وَأَتَتَبَّعُ فَاهُ هٰهُنَا وَهٰهُنَا، وَإِصْبَعَاهُ فِي أُذُنَيْهِ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

And a version of Ibn Mâjah — 'and he put his fingers in his ears'; and also a version of Abû Dâ'ud — 'he turned his neck to the right and left when he reached *Haiya 'alas-Salâh* (Come to the prayer) and did not turn his body'; and its origin is in *Sahihain*.

وَلِابْنِ مَاجَهْ: وَجَعَلَ إِصْبَعَيْهِ فِي أُذُنَيْهِ. وَلِأَبِي دَاوُدَ: لَوَى عُنُقَهُ لَمَّا بَلَغَ «حَيَّ عَلَى الصَّلَاةِ» يَمِينًا وَشِمَالاً، وَلَمْ يَسْتَدِرْ. وَأَصْلُهُ فِي الصَّحِيحَيْنِ.

**148.** Narrated Abû Mahdhûra رضي الله عنه: The Prophet صلى الله عليه وسلم liked his voice,[2] so he taught him the *Adhân* (call to prayer). [Reported by Ibn Khuzaima].

(١٤٨) وَعَنْ أَبِي مَحْذُورَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَعْجَبَهُ صَوْتُهُ فَعَلَّمَهُ الْأَذَانَ. رَوَاهُ ابْنُ خُزَيْمَةَ.

**149.** Narrated Jâbir bin Samura رضي الله عنه: I prayed with the Prophet صلى الله عليه وسلم the two *'Eid*, not only once or twice,[3] without an *Adhân* or an *Iqâma*. [Reported by Muslim], the same version is in Al-Bukhâri and Muslim narrated by 'Abdullâh bin 'Abbâs (رضي الله عنهما) and others.

(١٤٩) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ الْعِيدَيْنِ، مِنْ غَيْرِ مَرَّةٍ وَلَا مَرَّتَيْنِ، بِغَيْرِ أَذَانٍ وَلَا إِقَامَةٍ. رَوَاهُ مُسْلِمٌ، وَنَحْوُهُ فِي الْمُتَّفَقِ عَلَيْهِ عَنِ ابْنِ عَبَّاسٍ، وَغَيْرِهِ.

**150.** Narrated Abû Qatada رضي الله عنه in a long *Hadith* about their (*Sahâba*) sleeping late for the time of *Salât* (prayer): Then Bilâl proclaimed the *Adhân* and the Prophet صلى الله عليه وسلم

(١٥٠) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي الْحَدِيثِ الطَّوِيلِ فِي نَوْمِهِمْ عَنِ الصَّلَاةِ: ثُمَّ أَذَّنَ بِلَالٌ، فَصَلَّى النَّبِيُّ ﷺ كَمَا

---

[1] While pronouncing the words حي على الصلاة and حي على الفلاح turning the face to the right and left is *Sunna*. Turning of the whole body is not allowed. The *Ahadith* which disallow turning mean the turning of whole body and not the face.

[2] It means that a *Mu'adhdhin* (the caller to prayer) should be appointed having melodious voice.

[3] It means that prayer of the two *'Eid* are offered without *Adhân* and *Iqâma* (calls to the prayer).

offered the prayer (while leading the Companions) as he used to do every day.[1] [Reported by Muslim].

كَانَ يَصْنَعُ كُلَّ يَوْمٍ. رَوَاهُ مُسْلِمٌ.

Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم came to Al-Muzdalifa[2] and offered at it both the *Maghrib* and *'Ishâ'* prayers with one *Adhân* and two *Iqâma*.

وَلَهُ عَنْ جَابِرٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ أَتَى الْمُزْدَلِفَةَ، فَصَلَّى بِهَا الْمَغْرِبَ وَالعِشَاءَ بِأَذَانٍ وَاحِدٍ وإِقَامَتَيْنِ.

Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم combined the *Maghrib* and *'Ishâ'* prayers with one *Iqâma*. And added Abû Dâ'ud the words: "for each prayer."[3] And in another version: "the *Adhân* was not announced for any one of them".

وَلَهُ عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: جَمَعَ النَّبِيُّ ﷺ بَيْنَ الْمَغْرِبِ وَالعِشَاءِ بِإِقَامَةٍ وَاحِدَةٍ. وَزَادَ أَبُو دَاوُدَ: «لِكُلِّ صَلَاةٍ» وَفِي رِوَايَةٍ لَهُ: وَلَمْ يُنَادِ فِي وَاحِدَةٍ مِنْهُمَا.

**151.** Narrated Ibn 'Umar and 'Aisha رضي الله عنهم: Allâh's Messenger صلى الله عليه وسلم said, "Bilâl[4] calls for prayer when it is still night, so eat and drink till Ibn Umm Maktûm[5] calls for

(١٥١) وَعَنِ ابْنِ عُمَرَ وَعَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمْ، قَالَا: قَالَ رَسُولُ اللهِ ﷺ «إِنَّ بِلَالاً يُؤَذِّنُ بِلَيْلٍ، فَكُلُوا وَاشْرَبُوا حَتَّى

---

[1] If a *Qada* (missed prayer) is intended to be offered in congregation then *Adhân* (call to prayer) for it is also *Sunna*. Once it happened that the Prophet صلى الله عليه وسلم and his Companions رضي الله عنهم travelled late night. When they stopped and were going to sleep, they were not certain about waking up in the morning at prayer time, therefore, they asked Bilâl to remain awake and watchful. Sleep overwhelmed him and he too went to sleep. The Prophet صلى الله عليه وسلم was the first to wake up after sunrise and asked the Companions رضي الله عنهم to rise. They moved from the place a little and prayed after calling to the prayer.

[2] Muzdalifa (مزدلفة) is a place between Makka and 'Arafât. The night between 9th and 10th of Dhul-Hijja, after returning from 'Arafât, is spent here during Hajj. *Maghrib* (sunset) and *'Isha'* (night) prayers are offered together here with one *Adhân* but the *Iqâma* for each prayer is pronounced separately. It means that whenever congregational prayer is offered, *Iqâma* should be pronounced for it.

[3] The *Hadith* is in contradiction with the *Hadith* narrated by Jâbir رضي الله عنه in which one *Adhân* and two *Iqâma* are mentioned and is also acted upon because affirmation supersedes negation.

[4] In the month of Ramadân, the Prophet صلى الله عليه وسلم had appointed two *Mu'adhdhin* (call-makers) one for pronouncing the call to manifest the time of eating *Sahûr* (predawn meals for fasting) and the other to make a call to prayer at dawn.

[5] He is 'Amr or 'Abdullâh bin Qais Al-Qurashi Al-'Aamiri, the blind mentioned in *Surat 'Abasa*. He became a Muslim long ago and made the *Hijra* (migration). The Prophet صلى الله عليه وسلم appointed him incharge of Al-Madîna for 13 times leading the people in prayers. He

prayer." And he (Ibn Umm Maktûm) was a blind man who did not call for prayer until he was told: "It is morning time, it is morning time". [Agreed upon. There is an *Idrâj*[1] in its last part].

يُنَادِي ابْنُ أُمِّ مَكْتُومٍ، وَكَانَ رَجُلاً أَعْمَى لاَ يُنَادِي حَتَّى يُقَالَ لَهُ: أَصْبَحْتَ أَصْبَحْتَ». مُتَّفَقٌ عَلَيْهِ، وَفِي آخِرِهِ إِدْرَاجٌ.

**152.** Narrated Ibn 'Umar رضي الله عنهما: Bilâl called for prayer before dawn and the Prophet صلى الله عليه وسلم told him to return[2] and announce: "Lo! the slave of Allâh (i.e. Bilâl) had slept (hence this mistake)". [Reported by Abû Dâ'ud and graded as *Da'if*].

(١٥٢) وَعَن ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: أَنَّ بِلاَلاً أَذَّنَ قَبْلَ الْفَجْرِ، فَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَرْجِعَ فَيُنَادِيَ: **أَلاَ إِنَّ الْعَبْدَ نَامَ**. رَوَاهُ أَبُو دَاوُدَ، وَضَعَّفَهُ.

**153.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When you hear the *Adhân* repeat[3] what the *Mu'adhdhin* (the call-maker) says." [Agreed upon].

(١٥٣) وعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا سَمِعْتُمُ النِّدَاءَ فَقُولُوا مِثْلَ مَا يَقُولُ الْمُؤَذِّنُ**». مُتَّفَقٌ عَلَيْهِ.

And Al-Bukhâri has reported the same in a narration by Mu'âwiya رضي الله عنه.

وَلِلْبُخَارِيِّ عَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلُهُ.

And Muslim reported a narration by 'Umar رضي الله عنه regarding the virtue of repeating what the *Mu'adhdhin* pronounces word by word except when the *Mu'adhdhin* says: "*Haiya 'alas-Salah, Haiya 'alal-Falâh* (Come to the prayer and come to the success)", one should say: "*Lâ hawla wa lâ quwwata illâ billâh* [there is no

وَلِمُسْلِمٍ عَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي فَضْلِ الْقَوْلِ كَمَا يَقُولُ الْمُؤَذِّنُ كَلِمَةً كَلِمَةً سِوَى الْحَيْعَلَتَيْنِ، فَيَقُولُ: لاَ حَوْلَ وَلاَ قُوَّةَ إِلاَّ بِاللهِ.

---

was martyred at Al-Qâdisiya while holding the flag that day.

[1] *Idrâj* (insertion — إدراج) means that the sentence ... و كان رجلا أعمى (And he was a blind man ...) was not spoken by the Prophet صلى الله عليه وسلم but the reporter has added this from his own.

[2] It informs that, by any reason, if *Adhân* is announced beforetime than it should be repeated at the proper time of it.

[3] It is an order that, on hearing it, one should repeat the words of *Adhân* in answer in all cases, whether one is with ablution or not, is in a pure state or in a post-discharge or menstruation state; but while engaged in sexual intercourse or in the toilet, it is not proper to answer.

might and no power except with (the help of) Allâh]."

**154.** Narrated 'Uthmân bin Abûl-'Aas[1] رضي الله عنه: He said, "O Messenger of Allâh, appoint me as the *Imâm* (leader) of my people (in prayers). He (صلى الله عليه وسلم) said, "You are their *Imâm*, but you should follow (observe the strength of) the weakest[2] among them and appoint a *Mu'adhdhin* who does not charge[3] for the call of *Adhân*." [Reported by *Al-Khamsa*, At-Tirmidhi graded it *Hasan* and Al-Hâkim graded it *Sahih*].

(١٥٤) وَعَنْ عُثْمَانَ بْنِ أَبِي الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! اجْعَلْنِي إِمَامَ قَوْمِي، فَقَالَ: «أَنْتَ إِمَامُهُمْ وَاقْتَدِ بِأَضْعَفِهِمْ، وَاتَّخِذْ مُؤَذِّناً لاَ يَأْخُذُ عَلَى أَذَانِهِ أَجْراً». أَخْرَجَهُ الْخَمْسَةُ وَحَسَّنَهُ التِّرمذِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**155.** Narrated Mâlik bin Al-Huwairith[4] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When the time of *Salât* (prayer) comes, one of you should announce the *Adhân*."[5] [Reported by *As-Sab'a*].

(١٥٥) وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لَنَا النَّبِيُّ ﷺ: «إِذَا حَضَرَتِ الصَّلَاةُ، فَلْيُؤَذِّنْ لَكُمْ أَحَدُكُمْ» الْحَدِيثَ، أَخْرَجَهُ السَّبْعَةُ.

**156.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said to Bilâl, "When you announce the *Adhân*, utter deliberately and when you pronounce the *Iqâma* utter quickly, and leave between your *Adhân* and your *Iqâma*

(١٥٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لِبِلَالٍ: «إِذَا أَذَّنْتَ فَتَرَسَّلْ، وَإِذَا أَقَمْتَ فَاحْدُرْ، وَاجْعَلْ بَيْنَ أَذَانِكَ وَإِقَامَتِكَ قَدْرَ مَا يَفْرُغُ الآكِلُ مِنْ

[1] He is nicknamed Abû 'Abdullâh and was the youngest among the Tâ'if delegation of Banu Thaqif. The Prophet صلى الله عليه وسلم appointed him incharge of Tâ'if, and he stopped his people from apostating so they remained in Islam. 'Umar appointed him as the governor of Bahrain and 'Omân. He died at Basra in 51 H.

[2] *Imâm* (leader of the prayer) should care for the weak and old people by not extending the prayer for long, as to urge them to leave the congregational prayer.

[3] It means that a *Mu'adhdhin* (call-maker) should not have a pay for the job, but this is not a prohibition but only a desirable suggestion.

[4] He belonged to Banû Laith and was nicknamed Abû Salmân. He visited the Prophet صلى الله عليه وسلم and stayed with him for twenty nights. He settled at Basra and died there in 74 H.

[5] It means that during a journey also, announcing *Adhân* (call to prayer) and praying in congregation is *Sunna*.

time for one who is eating to finish[1] his food." [Reported by At-Tirmidhi who graded it *Da'if*].

أَكْلِهِ» الحديث. رَوَاهُ التِّرمِذِيُّ، وَضَعَّفَهُ.

Narrated Abû Huraira رضى الله عنه: The Prophet صلى الله عليه وسلم said, "No one should announce *Adhân* except the one who has performed the ablution[2]". [Reported by At-Tirmidhi who graded it *Da'if*].

وَلَهُ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يُؤَذِّنُ إِلَّا مُتَوَضِّئٌ». وَضَعَّفَهُ أَيْضاً.

Ziyâd bin Al-Harith[3] رضى الله عنه narrated: Allâh's Messenger صلى الله عليه وسلم said, "One who announces the *Adhân* should also[4] pronounce the *Iqâma.*" [Reported by At-Tirmidhi who graded it *Da'if*].

وَلَهُ عَنْ زِيَادِ بْنِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «وَمَنْ أَذَّنَ فَهُوَ يُقِيمُ». وَضَعَّفَهُ أَيْضاً.

Narrated 'Abdullâh bin Zaid in another version of *Hadîth* reported by Abû Dâ'ud: I saw it, i.e. the *Adhân* (in a vision) and I wanted to announce it. Allâh's Messenger صلى الله عليه وسلم said, "You pronounce the *Iqâma.*" [This *Hadîth* is also *Da'if*].

وَلِأَبِي دَاوُدَ مِن حَدِيثِ عَبْدِ اللهِ بْنِ زَيْدٍ، أَنَّهُ قَالَ: أَنَا رَأَيْتُهُ، يَعْنِي الأَذَانَ، وَأَنَا كُنْتُ أُرِيدُهُ، قَالَ: فَأَقِمْ أَنْتَ. وَفِيهِ ضَعْفٌ أَيْضاً.

**157.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The *Mu'adhdhin* has more right to announce the *Adhân* and the *Imâm* has more right to pronounce the

(١٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمُؤَذِّنُ أَمْلَكُ بِالأَذَانِ، وَالإِمَامُ أَمْلَكُ بِالإِقَامَةِ». رَوَاهُ

[1] Some issues are known with this *Hadîth*: (i) *Adhân* (call for the prayer) should be announced in a loud voice with short pauses in between. (ii) *Iqâma* (call for the start of congregational prayer) should be pronounced quickly. (iii) There should be enough time between *Adhân* and *Salât*, so that a man can join the congregation after finishing his meals or after answering the call of nature, and performing the ablution. Some religious scholars have measured the time up to four *Rak'at* prayer.

[2] The supererogatory way is to announce *Adhân* after performing ablution, but if there is no other way, it can be announced without ablution. This is only a suggestive prohibition and not an absolute one.

[3] He was a *Sahâbi* from Sudâ' in Yemen. He entered into a covenant with the Prophet صلى الله عليه وسلم and pronounced the *Adhân* before him. He is considered to have settled at Basra.

[4] This is *Sunna* that the same person should pronounce *Iqâma* who has announced the *Adhân*, but if he permits, another person can also pronounce *Iqâma*.

*Iqâma*." [Reported by Ibn 'Adi who graded it *Da'if*]. Al-Baihaqi has reported a similar *Hadîth* narrated by 'Ali رضي الله عنه.

ابْنُ عَدِيٍّ، وَضَعَّفَهُ، وَلِلْبَيْهَقِيِّ نَحْوُهُ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِنْ قَوْلِهِ.

**158.** Narrated Anâs bin Mâlik رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A supplication made between the *Adhân* and *Iqâma* is not rejected." [Reported by An-Nasâ'i and Ibn Khuzaima graded it *Sahih*].

(١٥٨) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَا يُرَدُّ الدُّعَاءُ بَيْنَ الْأَذَانِ وَالْإِقَامَةِ**». رَوَاهُ النَّسَائِيُّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**159.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone says when he hears the *Adhân*: 'O Allâh! Lord of this perfect call[1] and of the regular prayer which is going to be established! Kindly give Muhammad (صلى الله عليه وسلم) the right of intercession and superiority,[2] and send him (on the Day of Judgement) to the best and the highest place in Paradise which You promised him', he will be assured of my intercession". [Reported by *Al-Arba'a*].

(١٥٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ قَالَ حِينَ يَسْمَعُ النِّدَاءَ: اللَّهُمَّ رَبَّ هَذِهِ الدَّعْوَةِ التَّامَّةِ، وَالصَّلَاةِ الْقَائِمَةِ، آتِ مُحَمَّدًا الْوَسِيلَةَ وَالْفَضِيلَةَ، وَابْعَثْهُ مَقَامًا مَحْمُودًا الَّذِي وَعَدْتَهُ حَلَّتْ لَهُ شَفَاعَتِي يَوْمَ الْقِيَامَةِ**». أَخْرَجَهُ الْأَرْبَعَةُ.

## Chapter 3
## THE CONDITIONS OF *SALAT* (PRAYER)

## ٣ - بَابُ شُرُوطِ الصَّلَاةِ

**160.** Narrated 'Ali bin Talq[3] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you releases air (through his anus) during *Salât*

(١٦٠) عَنْ عَلِيِّ بْنِ طَلْقٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا فَسَا**

---

[1] Perfect call (الدعوة التامة) means the luminosity of the Oneness of Allâh and the light of Prophethood.

[2] Besides meaning right of intercession and superiority, وسيلة is also the name of a place. The Prophet صلى الله عليه وسلم said that only one person, among the creation of Allâh, will reach there and hoped by the grace of Allâh that this would be he (صلى الله عليه وسلم).

[3] He is 'Ali bin Talq bin Al-Mundhir bin Qais Al-Hanafi, from Banu Hanifa, As-Sahimi and Al-Yamâmi. He was a *Sahâbi* and it was said that he was the father of Talq bin 'Ali, but it was also said that these two names belong to the same person.

(prayer), he should break the *Salât* (prayer) then perform ablution and repeat the prayer."[1] [Reported by *Al-Khamsa* and Ibn Hibbân graded it *Sahih* (sound)].

أَحدُكُمْ فِي الصَّلاةِ، فَلْيَنْصَرِفْ، وَلْيَتَوَضَّأْ وَلْيُعِدِ الصَّلاةَ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**161.** Narrated 'Aisha رضى الله عنها: The Prophet صلى الله عليه وسلم said, "The *Salât* (prayer) of a woman, who has reached puberty, is not accepted unless she is wearing a *Khimâr* [2]." [Reported by *Al-Khamsa* except An-Nasâ'i. And Ibn Khuzaima graded it *Sahih* (sound)].

(١٦١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «لاَ يَقْبَلُ اللَّهُ صَلاَةَ حَائِضٍ إِلاَّ بِخِمَارٍ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**162.** Narrated Jâbir رضى الله عنه: The Prophet صلى الله عليه وسلم said, "If the garment is ample, wrap it round your body i.e. during the *Salât* (prayer)." A version by Muslim has: "you should cross the two ends, and if it is tight, you should wrap it round your waist." [Agreed upon].

(١٦٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ لَهُ: «إِنْ كَانَ الثَّوْبُ وَاسِعاً فَالْتَحِفْ بِهِ، يَعْنِي فِي الصَّلاَةِ». وَلِمُسْلِمٍ: فَخَالِفْ بَيْنَ طَرَفَيْهِ، وَإِنْ كَانَ ضَيِّقاً فَاتَّزِرْ بِهِ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abû Huraira رضى الله عنه: (The Prophet صلى الله عليه وسلم said:) None of you should offer *Salât* (prayer) in a single garment with no part of it on his shoulders. [Agreed upon].

وَلَهُمَا مِنْ حَدِيثِ أَبِي هُرَيْرَةَ: «لاَ يُصَلِّي أَحَدُكُمْ فِي الثَّوْبِ الْوَاحِدِ، لَيْسَ عَلَى عَاتِقِهِ مِنْهُ شَيْءٌ».

**163.** Narrated Umm Salama رضى الله عنها: She asked the Prophet صلى الله عليه وسلم, "Can a woman pray in a long dress and a veil without wearing a lower garment?" He replied, "If the long dress is ample and covers the surface of her feet."[3] [Reported by Abû

(١٦٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّهَا سَأَلَتِ النَّبِيَّ ﷺ: أَتُصَلِّي الْمَرْأَةُ فِي دِرْعٍ وَخِمَارٍ بِغَيْرِ إِزَارٍ؟ قَالَ: «إِذَا كَانَ الدِّرْعُ سَابِغاً يُغَطِّي ظُهُورَ قَدَمَيْهَا». أَخْرَجَهُ

[1] It means that if ablution is nullified during prayer, it should be made afresh and prayer should be offered again. This is preferable.

[2] A *Khimâr* is a piece of cloth with which a woman covers her head and neck area. It means that the whole body of a woman should be covered including head hair.

[3] It is included in the conditions of prayer that a woman should also cover her feet up to heels otherwise her prayer will not be accepted.

Dâ'ud and the *Imâm* graded it *Mawqûf*].

أَبُو دَاوُدَ، وَصَحَّحَ الأَئِمَّةُ وَقْفَهُ.

**164.** Narrated 'Aamir bin Rabi'a رضى الله عنه: We were with the Prophet صلى الله عليه وسلم during a dark night and we became uncertain about the *Qiblah* (the direction of Makka) we then prayed by guess. When sun rose, we discovered that we had prayed towards a direction other than the *Qiblah*. So this verse was revealed: "... so wherever you turn yourselves or your faces, there is the Face of Allâh ..."[1] [Reported by At-Tirmidhi who graded it *Da'if*].

(١٦٤) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فِي لَيْلَةٍ مُظْلِمَةٍ، فَأَشْكَلَتْ عَلَيْنَا الْقِبْلَةُ، فَصَلَّيْنَا، فَلَمَّا طَلَعَتِ الشَّمْسُ إِذَا نَحْنُ صَلَّيْنَا إِلَى غَيْرِ الْقِبْلَةِ، فَنَزَلَتِ الآيَةُ **﴿فَأَيْنَمَا تُوَلُّوا فَثَمَّ وَجْهُ اللَّهِ﴾** أَخْرَجَهُ التِّرْمِذِيُّ، وَضَعَّفَهُ.

**165.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The direction between the east and west is a *Qiblah*."[2] [Reported by At-Tirmidhi, and Al-Bukhâri graded it *Qawi* (sound)].

(١٦٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَا بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ قِبْلَةٌ»**. أَخْرَجَهُ التِّرْمِذِيُّ، وَقَوَّاهُ الْبُخَارِيُّ.

**166.** Narrated 'Aamir bin Rabi'a[3] رضى الله عنه: I saw Allâh's Messenger صلى الله عليه وسلم praying while mounted on his riding animal facing whatever direction it faced. [Agreed upon]. Added Al-Bukhâri: "Making gestures with his head and he did not do (pray while mounted) that with obligatory prayers."

(١٦٦) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللَّهِ ﷺ يُصَلِّي عَلَى رَاحِلَتِهِ حَيْثُ تَوَجَّهَتْ بِهِ. مُتَّفَقٌ عَلَيْهِ، زَادَ الْبُخَارِيُّ: يُومِئُ بِرَأْسِهِ، وَلَمْ يَكُنْ يَصْنَعُهُ فِي الْمَكْتُوبَةِ.

---

[1] *Al-Baqarah*; Verse 115.

[2] In these words the Prophet صلى الله عليه وسلم has explained the direction of *Qiblah* (قبلة — Ka'ba direction) to the whole world. The people who reside in east or west of *Qiblah* take the meaning of this *Hadîth* that *Qiblah* is located in between the places of rising and setting of the sun in winter and summer, and those living in north and south locations of *Qiblah* take the meaning that if they stand keeping east and west at their right and left, then their *Qiblah* is between these.

[3] 'Aamir was one of the sons of 'Anz bin Wâ'il who was brother to Bakr and Taghlib, sons of Wâ'il. He was a *Sahâbi* who became Muslim very early and made the two *Hijra*. He participated in Badr and all the other battles and died in 32 H. or 33 H. or 35 H.

Narrated Anas in another version of *Hadîth* reported by Abu Dâ'ud: When (he صلى الله عليه وسلم) travelled, and intended to pray a voluntary prayer, he used to direct[1] his riding camel towards the *Qiblah*, say, "*Allâhu Akbar*" and pray facing whatever direction it faced. [Its chain is *Hasan*].

وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ أَنَسٍ: وَكَانَ إِذَا سَافَرَ فَأَرَادَ أَنْ يَتَطَوَّعَ اسْتَقْبَلَ بِنَاقَتِهِ الْقِبْلَةَ، فَكَبَّرَ ثُمَّ صَلَّى حَيْثُ كَانَ وَجْهُ رِكَابِهِ. وَإِسْنَادُهُ حَسَنٌ.

**167.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The whole earth is a mosque (to pray on) except a graveyard and a toilet." [Reported by At-Tirmidhi and it has *'Illa* (a defect)].

(١٦٧) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: **«الْأَرْضُ كُلُّهَا مَسْجِدٌ إِلَّا الْمَقْبَرَةَ وَالْحَمَّامَ»**. رَوَاهُ التِّرْمِذِيُّ، وَلَهُ عِلَّةٌ.

**168.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade[2] prayer at seven places; a dump, a slaughter house, a graveyard, the middle of the path, a bathroom, and where camels sit at a watering place and the top (roof) of the Ka'ba. [Reported by At-Tirmidhi who graded it *Da'if*].

(١٦٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ يُصَلَّى فِي سَبْعَةِ مَوَاطِنَ: الْمَزْبَلَةِ، وَالْمَجْزَرَةِ، وَالْمَقْبَرَةِ، وَقَارِعَةِ الطَّرِيقِ، وَالْحَمَّامِ، وَمَعَاطِنِ الْإِبِلِ، وَفَوْقَ ظَهْرِ بَيْتِ اللَّهِ. رَوَاهُ التِّرْمِذِيُّ، وَضَعَّفَهُ.

**169.** Narrated Abû Marthad Al-Ghanawi[3] رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم say, "Don't

(١٦٩) وَعَنْ أَبِي مَرْثَدٍ الْغَنَوِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ

[1] It means that *Nafl* (نفل — voluntary) prayer can be offered while riding, on the condition that at the time of beginning the prayer, one should turn the mount or vehicle towards *Qiblah*, afterward change in direction makes no harm. But obligatory prayer should not be offered while riding, but ships, boats and planes are excepted.

[2] This *Hadîth* is a proof that offering of a prayer in a graveyard is not permissible, whether offered over the graves or midst the graves, and no matter the graves are of Muslims or non-Muslims. Offering of a prayer in a graveyard gives an impression of worship of other than Allâh, which is major polytheism. It is prohibited to offer a prayer in a toilet because of its impurity and filthiness, moreover toilet is a place of Satan as it is narrated in the *Hadîth*.

[3] His name is Kannâz bin Husain bin Yarbû' Al-Ghanawi a descendant of Ghani bin Ya'sur, a tribe of Ghatafân. He was a *Sahâbi* who witnessed Badr and was an ally of Hamza bin 'Abdul-Muttalib and also of his age. He attended all the battles and died in 12 H. at the age of 66 years.

pray towards graves[1] and don't sit on them.[2]" [Reported by Muslim].

يَقُولُ: «لاَ تُصَلُّوا إِلَى القُبُورِ، وَلاَ تَجْلِسُوا عَلَيْهَا». رَوَاهُ مُسْلِمٌ.

**170.** Narrated Abû Sa'îd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "When any of you comes to the mosque he should look and if he sees impurity or filth on his sandals (shoes) he should wipe these and then pray in them". [Reported by Abû Dâ'ud, and Ibn Khuzaima graded it *Sahih*].

(١٧٠) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا جَاءَ أَحَدُكُمُ المَسْجِدَ فَلْيَنْظُرْ فَإِنْ رَأَى فِي نَعْلَيْهِ أَذًى أَوْ قَذَراً فَلْيَمْسَحْهُ، وَلْيُصَلِّ فِيهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**171.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one of you steps on filth with his two leather socks then the earth[3] is their purification." [Reported by Abû Dâ'ud, and Ibn Hibbân graded it *Sahih* (sound)].

(١٧١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا وَطِئَ أَحَدُكُمُ الأَذَى بِخُفَّيْهِ فَطَهُورُهُمَا التُّرَابُ». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**172.** Narrated Mu'âwiya bin Al-Hakam[4] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Talking

(١٧٢) وَعَنْ مُعَاوِيَةَ بْنِ الْحَكَمِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ

[1] It means that it is prohibited to offer a prayer facing the graves. Some people built mosques near the graves of saints to seek the favours of deceased soul, it is also prohibited. In a *Hadith* by 'Aisha رضي الله عنها, it is clearly worded that 'May Allâh curse Jews and Christians as they made the graves of their Prophets their prayer places'. It may also mean that acts liable to be performed before Allâh in mosques, should not be enacted upon graves or it may also mean that never to pray at a place where there are graves in front.

[2] Sitting on graves has two meanings, one to rest or to lean against the graves and, secondly, to take over the graves as *Mujâwir* (مجاور — custodian of graves, who also collects alms and charity in shape of money and other things from people who visit the graves to get the favour of buried souls). In both the respects, it is strictly prohibited. There may be another meaning that one should not sit on graves for answering the call of nature or urination, etc. It is also prohibited.

[3] These two *Ahadith* indicate that offering of a prayer with socks and shoes on is permissible. These also tell that, if shoes get smeared with any kind of filth, dirt, dung and faeces, etc., and whatever its nature may be, it is enough to rub it with dust and there is no need to wash with water.

[4] He was a *Sahâbi* counted among the inhabitants of Hijâz. He used to visit Al-Madîna and stay at Banu Sulaim. He died in 117 H.

is not befitting during the *Salât* (prayer), for it (prayer) consists only of glorifying Allâh, declaring His Greatness and the recitation of the Qur'ân". [Reported by Muslim].

هَذِهِ الصَّلاَةَ لاَ يَصْلُحُ فِيهَا شَيْءٌ مِنْ كَلاَمِ النَّاسِ إِنَّمَا هِوَ التَّسْبِيحُ وَالتَّكْبِيرُ وَقِرَاءَةُ الْقُرْآنِ». رَوَاهُ مُسْلِمٌ.

**173.** Narrated Zaid bin Arqam[1] رضي الله عنه: We used to talk while engaged in *Salât* (prayer) during lifetime of Allâh's Messenger صلى الله عليه وسلم and one would talk with his companion regarding his needs in prayer till (this verse) was revealed: "Guard strictly the prayers, especially the middle prayer; and stand before Allâh with obedience,"[2] then we were commanded to observe silence (in prayer) and were forbidden to talk.[3] [Agreed upon. The version is of Muslim].

(١٧٣) وَعَنْ زَيْدِ بْنِ أَرْقَمَ قَالَ: إِنْ كُنَّا لَنَتَكَلَّمُ فِي الصَّلاَةِ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ: يُكَلِّمُ أَحَدُنَا صَاحِبَهُ بِحَاجَتِهِ، حَتَّى نَزَلَتْ ﴿حَافِظُوا عَلَى الصَّلَوَاتِ وَالصَّلاَةِ الْوُسْطَى وَقُومُوا للهِ قَانِتِينَ﴾ فَأُمِرْنَا بِالسُّكُوتِ، وَنُهِينَا عَنِ الْكَلاَمِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**174.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Glorification of Allâh (i.e. saying سبحان الله ) is for men and clapping of hands is for women."[4] [Agreed upon. Muslim added: "during *Salât* (prayer)"].[5]

(١٧٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «التَّسْبِيحُ لِلرِّجَالِ وَالتَّصْفِيقُ لِلنِّسَاءِ». مُتَّفَقٌ عَلَيْهِ، زَادَ مُسْلِمٌ: «فِي الصَّلاَةِ».

---

[1] He was nicknamed Abû 'Amr and was an *Ansâri* and a Khazraji. He first took part in the battle of *Al-Khandaq* and accompanied the Prophet صلى الله عليه وسلم in 17 expeditions. He attended the battle of *Siffin* with 'Ali because he was one of his close associates. He settled at Kûfa and died there in 66 H.

[2] *Al-Baqarah*; Verse 238.

[3] It means that talking during prayer is not allowed. In the early period of Islâm people used to talk in the prayer which was prohibited later on.

[4] In means that if *Imâm* (leader of the prayer) makes an unintentional mistake in the prayer, men following him are supposed to say سبحان الله to draw his attention and women are ordered to clap for this purpose, so that their voice may not be heard by men.

[5] That is, if one wants to draw the attention of the *Imâm* if he forgets something in the prayer, he should say, '*Subhân Allâh*'. But if it is a woman she claps by beating two fingers of her right hand on her left palm.

**175.** Narrated Mutarrif bin Abdullâh bin Shikhkhir[1] رضي الله عنه from his father[2], who said, "I saw Allâh's Messenger صلى الله عليه وسلم when he was engaged in prayer, and heard a sound from his chest, like the bubbling of a pot, from weeping.[3]" [Reported by *Al-Khamsa* except Ibn Mâjah, and Ibn Hibbân graded it *Sahih*].

(١٧٥) وَعَنْ مُطَرِّفِ بْنِ عَبْدِ اللهِ بْنِ الشِّخِّيرِ عَنْ أَبِيهِ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي وَفِي صَدْرِهِ أَزِيزٌ كَأَزِيزِ الْمِرْجَلِ، مِنَ الْبُكَاءِ. أَخْرَجَهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَه، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**176.** Narrated 'Ali رضي الله عنه: "I had the permission of Allâh's Messenger صلى الله عليه وسلم to see him in his house two times, and whenever I entered to him while he was praying he would clear his throat[4] as a sign to me." [Reported by An-Nasâ'i and Ibn Mâjah].

(١٧٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ لِي مِنْ رَسُولِ اللهِ ﷺ مَدْخَلاَنِ، فَكُنْتُ إِذَا أَتَيْتُهُ وَهُوَ يُصَلِّي، تَنَحْنَحَ لِي. رَوَاهُ النَّسَائِيُّ وَابْنُ مَاجَةْ.

**177.** Narrated Ibn 'Umar رضي الله عنهما: I asked Bilâl رضي الله عنه, "How did you observe the Prophet صلى الله عليه وسلم replying to their (the Companions) salutation while he was engaged in prayer?" He (Bilâl) said, "He used to do this way," and he (Bilâl) demonstrated by spreading his palm[5]. [Reported by Abû Dâ'ud and At-Tirmidhi. The latter graded it *Sahih*].

(١٧٧) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قُلْتُ لِبِلاَلٍ: كَيْفَ رَأَيْتَ النَّبِيَّ ﷺ يَرُدُّ عَلَيْهِمْ حِينَ يُسَلِّمُونَ عَلَيْهِ، وَهُوَ يُصَلِّي؟ قَالَ: يَقُولُ هٰكَذَا وَبَسَطَ كَفَّهُ. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

---

[1] He is Mutarrif bin 'Abdullâh bin Ash-Shikhkhir Al-Harashi Al-'Aamiri Al-Basri, among the elder *Tabi'in*. He was reliable, virtuous and a lot of praiseworthy deeds are attributed to him. He died in 95H.

[2] He is 'Abdullâh bin Ash-Shikhkhir bin 'Auf bin Ka'b Al-Harashi Al-'Aamiri, the latter being a *Sahâbi*. He was a member of the delegation of Banu 'Aamir and is considered to have settled at Basra.

[3] According to this *Hadith* weeping in prayer with fear of Allâh is allowed, but crying with some ailment or adversity invalidates the prayer.

[4] It means that hemming or deliberate coughing once or twice do not disrupt the prayer. The book *Musaffa*, a commentary of *Mu'atta* (موطا), explains that continuous hemming, crying, weeping or laughing, though not a speech, but invalidates the prayer.

[5] It means that small deeds do not disrupt the prayer.

**178.** Narrated Abû Qatâda رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم was (one time) offering prayer while he was carrying Umâma, daughter of Zainab,[1] when he prostrated[2] he put her down and when he stood up he lifted her up. [Agreed upon]. Muslim has: "While he صلى الله عليه وسلم led the people in the prayer…"

(١٧٨) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي، وَهُوَ حَامِلٌ أُمَامَةَ بِنْتَ زَيْنَبَ، فَإِذَا سَجَدَ وَضَعَهَا، وَإِذَا قَامَ حَمَلَهَا. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «وَهُوَ يَؤُمُّ النَّاسَ فِي الْمَسْجِدِ».

**179.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Kill the two black ones during *Salât* (prayer)[3], the snake and the scorpion." [Reported by *Al-Arba'a*, and Ibn Hibbân graded it *Sahih*].

(١٧٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اقْتُلُوا الْأَسْوَدَيْنِ فِي الصَّلَاةِ: الْحَيَّةَ وَالْعَقْرَبَ». أَخْرَجَهُ الْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

## Chapter 4
## *SUTRA*[4] (SCREEN) IN PRAYER

## ٤ - بَابُ سُتْرَةِ الْمُصَلِّي

**180.** Narrated Abû Juhaim bin Al-Hârith[5] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If the person who

(١٨٠) عَنْ أَبِي جُهَيْمٍ بْنِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ

[1] Umâma was the grand daughter of the Prophet صلى الله عليه وسلم born by his daughter Zainab to Abûl-'Aas bin Ar-Rabi'. She was married by 'Ali after the death of Fatima رضي الله عنها due to her advice, and when 'Ali was killed, she was married by Al-Mughira bin Naufal, and she died while still under him.

[2] Shah Waliullah of Delhi wrote in his book *Hujjatullâh-il-Bâligha* حجة الله البالغة that the Prophet صلى الله عليه وسلم deliberately did some small deeds during the prayer to make the people understand that prayer is not disrupted by these. *Ahadîth* confirm that, if need arises, the following do not affect or disrupt the prayer: i) A little utterance. ii) Small movement, small deeds. iii) A little change of place, forward or backward. iv) To make a gesture or indicate a thing with foot. v) To open the door with a small move. vi) To move back, if another person comes to join the prayer. vii) To weep with fear of Allâh. viii) To make a gesture to make something understand. ix) To kill a scorpion or snake. x) To look either side without moving the neck.

[3] This *Hadîth* proves two things: a) Prayer is not disrupted by killing these, and b) One should not take pity on them. These must be killed and should not be spared as these are harmful.

[4] *Sutra* (سترة) may be anything which a person offering the prayer puts in front of him as a barrier between him and others.

[5] It is said that his name was 'Abdullâh bin Al-Hârith bin As-Simma Al-Ansâri Al-Khazraji. He was a well-known *Sahâbi* who lived up to the caliphate of Mu'âwiya.

passes in front of another person in prayer knew the magnitude of his sin, it would have been better for him to wait for forty[1] than pass in front of him.[2] [Agreed upon. This version is of Al-Bukhâri]. It is mentioned in Al-Bazzâr through another chain with the addition: "forty years."

ﷺ: «لَوْ يَعْلَمُ الْمَارُّ بَيْنَ يَدَيِ الْمُصَلِّي مَاذَا عَلَيْهِ مِنَ الْإِثْمِ، لَكَانَ أَنْ يَقِفَ أَرْبَعِينَ خَيْراً لَهُ مِنْ أَنْ يَمُرَّ بَيْنَ يَدَيْهِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَوَقَعَ فِي الْبَزَّارِ مِنْ وَجْهٍ آخَرَ: «أَرْبَعِينَ خَرِيفاً».

**181.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم was asked in the expedition of Tabûk about the *Sutra* of the person who is offering the prayer; he said, "It is (something) like the back of a saddle."[3] [Reported by Muslim].

(١٨١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سُئِلَ رَسُولُ اللهِ ﷺ فِي غَزْوَةِ تَبُوكَ عَنْ سُتْرَةِ الْمُصَلِّي، فَقَالَ: «مِثْلُ مُؤْخِرَةِ الرَّحْلِ». أَخْرَجَهُ مُسْلِمٌ.

**182.** Narrated Sabra bin Ma'bad Al-Juhani[4] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Let one of you who is in *Salât* (prayer) put a *Sutra*[5] in front of him even if it is an arrow." [Reported by Al-Hâkim].

(١٨٢) وَعَنْ سَبْرَةَ بْنِ مَعْبَدٍ الْجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِيَسْتَتِرْ أَحَدُكُمْ فِي الصَّلَاةِ وَلَوْ بِسَهْمٍ». أَخْرَجَهُ الْحَاكِمُ.

---

[1] It means that passing in front of a person in prayer is prohibited. The reporter of this *Hadîth* Abû An-Nasr stated that he knows not what is meant by forty, it may be days, months or years. But in another *Hadîth* the word 'year' is given.

[2] Up to the place of prostration is the 'frontage' of a person offering the prayers. Crossing beyond the frontage is no offence. This warning is for the person who crosses, and not for the person who is already sitting or praying in front of him, and he makes any movement.

[3] The height of *Sutra* should be at least equal to the rear part of a camel's saddle. Its approximate measure is about one foot. If nothing is available, a mace can serve the purpose of *Sutra*; and if even a mace is not available, a line can be marked as given in the narration of Abû Dâ'ud.

[4] Sabra was a *Sahâbi* from Al-Madîna who settled at Dhi Marwa. He was nicknamed Abû Thuraiya. He first took part in *Al-Khandaq* (battle of the Trench). He was 'Ali's messenger to Mu'âwiya - when he was appointed as *Khalifa* to ask him to take the pledge of loyalty of the people of Shâm for 'Ali. He died towards the end of Mu'âwiya's caliphate.

[5] When one prays, the Blessing of Allâh faces him. *Sutra* serves as a fence and the Blessing of Allâh remains within the limits of fence area. Anyone who crosses beyond the fence (*Sutra*) do not confront the Blessing of Allâh and the prayer is not affected. In the absence of fence (*Sutra*) there is no limit for the Blessing of Allâh and a passer-by clashes with it and the concentration towards Allâh is perturbed. Therefore *Sutra* was made compulsory.

**183.** Narrated Abû Dhar Al-Ghifâri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "In case there is not before him (an object) like the back of a saddle, a Muslim's *Salât* (prayer) would be cut off[1] by (the passing of) an ass, a woman and a black dog." And it concludes: "a black dog is a devil."[2] [Reported by Muslim].

Muslim also reported through Abû Huraira (رضي الله عنه) the same *Hadîth* without the mention of *Kalb* (dog). In another version Abû Dâ'ud and An-Nasâ'i reported through Ibn 'Abbâs (رضي الله عنهما) the same without its end and connected the prohibition of a woman to pass in front of a praying person to the state of being in her menstruation period.

(١٨٣) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**يَقْطَعُ صَلَاةَ الْمَرْءِ الْمُسْلِمِ - إِذَا لَمْ يَكُنْ بَيْنَ يَدَيْهِ مِثْلُ مُؤْخِرَةِ الرَّحْلِ - الْمَرْأَةُ وَالْحِمَارُ وَالْكَلْبُ الْأَسْوَدُ**». الْحَدِيثَ. وَفِيهِ: «**الْكَلْبُ الْأَسْوَدُ شَيْطَانٌ**». أَخْرَجَهُ مُسْلِمٌ.

وَلَهُ عَنْ أَبِي هُرَيْرَةَ نَحْوُهُ دُونَ الْكَلْبِ، وَلِأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنِ ابْنِ عَبَّاسٍ نَحْوُهُ دُونَ آخِرِهِ، وَقَيَّدَ الْمَرْأَةَ بِالْحَائِضِ.

**184.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one of you prays towards an object separating him from the people and someone tries to pass (between him and the object) in front of him, let him turn him away but if he refuses he should fight[3] him for he is a devil." [Agreed upon]. In

(١٨٤) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا صَلَّى أَحَدُكُمْ إِلَى شَيْءٍ يَسْتُرُهُ مِنَ النَّاسِ، فَأَرَادَ أَحَدٌ أَنْ يَجْتَازَ بَيْنَ يَدَيْهِ، فَلْيَدْفَعْهُ، فَإِنْ أَبَى فَلْيُقَاتِلْهُ، فَإِنَّمَا هُوَ شَيْطَانٌ**». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ: فَإِنَّ مَعَهُ الْقَرِينَ.

---

[1] It means that it only affects the fear of Allâh and humility (concentration) and not the prayer.

[2] In this *Hadith* there is a proof that without *Sutra* if above-mentioned things cross in front of a worshipper, his prayer is discontinued. But there is an agreed upon and authentic *Hadith* which tells that Ibn 'Abbas رضي الله عنهما, riding on a donkey, passed before the row of congregation and the Prophet صلى الله عليه وسلم was also offering the prayer but he did not repeat his prayer nor asked the Companions رضي الله عنهم to repeat.

[1] Passing before the praying person is regarded an aversion unanimously. If a person is praying having *Sutra* before him and someone tries to pass from inside it, he should be stopped by a sign and if he insists, he should be stopped by force. Fight means to stop with force and not the actual fight. If a worshipper is praying without having a *Sutra* before him, it is his fault and not the fault of passer-by. It also indicates that prayer is not discontinued with this small action, but is does affect the concentration.

another version is "for there is a Satan with him."

**185.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you prays, he should put something in front of his face, and if he cannot find something he should set up his stick; but if he has no stick with him he should draw a line, then what passes in front of him will not harm him." [Reported by Ahmad and Ibn Mâjah. And Ibn Hibbân graded it *Sahih*].

(١٨٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**إِذَا صَلَّى أَحَدُكُمْ فَلْيَجْعَلْ تِلْقَاءَ وَجْهِهِ شَيْئاً، فَإِنْ لَمْ يَجِدْ فَلْيَنْصِبْ عَصاً، فَإِنْ لَمْ يَكُنْ فَلْيَخُطَّ خَطّاً، ثُمَّ لَا يَضُرُّهُ مَنْ مَرَّ بَيْنَ يَدَيْهِ**». أَخْرَجَهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَمْ يُصِبْ مَنْ زَعَمَ أَنَّهُ مُضْطَرِبٌ بَلْ هُوَ حَسَنٌ.

**186.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Nothing interrupts[1] *Salât* (prayer), but avert as much as you can (things that cut off prayer)." [Reported by Abû Dâ'ud and there is weakness in its chain].

(١٨٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَقْطَعُ الصَّلَاةَ شَيْءٌ، وَادْرَءُوا مَا اسْتَطَعْتُمْ**». أَخْرَجَهُ أَبُو دَاوُدَ، وَفِي سَنَدِهِ ضَعْفٌ.

## Chapter 5
## *KHUSHÛ'*[2] (HUMILITY) IN *SALAT* (PRAYER)

## ٥ - بَابُ الْحَثِّ عَلَى الْخُشُوعِ فِي الصَّلَاةِ

**187.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade keeping one's hands on one's waist while praying[3]. [Agreed upon]. The version is that of Muslim and its meaning is to put (one's) hands on his waist.

(١٨٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يُصَلِّيَ الرَّجُلُ مُخْتَصِراً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ، وَمَعْنَاهُ أَنْ يَجْعَلَ يَدَهُ عَلَى خَاصِرَتِهِ.

And in the version of Al-Bukhâri narrated by 'Aisha رضى الله عنها is: "This is a practice of the Jews."

وَفِي الْبُخَارِيِّ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: «أَنَّ ذَلِكَ فِعْلُ الْيَهُودِ».

---

[1] It indicates that prayer is not discontinued by passing of somebody, but it does affect the concentration.

[2] *Khushu'* (خشوع) means calmness, comfort and concentration of the whole body and the mind towards Allâh.

[3] Placing the hands on flanks is an arrogant action whereas humility and meekness is required in prayer. The other point explained in the next *Hadith* is that this action resembled with that of the Jews, and their imitation is forbidden.

**188.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If supper is brought (and the prayer is ready) start with it (the food) before you pray the *Maghrib* (prayer)."[1] [Agreed upon].

(١٨٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ: قَالَ: «**إِذَا قُدِّمَ الْعَشَاءُ فَابْدَءُوا بِهِ قَبْلَ أَنْ تُصَلُّوا الْمَغْرِبَ**». مُتَّفَقٌ عَلَيْهِ.

**189.** Narrated Abû Dhar رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you is praying he must not remove pebbles (from his face)[2] for the mercy is facing him." [Reported by *Al-Khamsa* with a *Sahih* chain]. And Ahmad added to the above *Hadîth*: "(remove the pebbles) once or leave." It is also reported in *As-Sahih* on the authority of Mu'aiqib[3] without mention of the reason.

(١٨٩) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا قَامَ أَحَدُكُمْ فِي الصَّلَاةِ فَلَا يَمْسَحِ الْحَصَى، فَإِنَّ الرَّحْمَةَ تُوَاجِهُهُ**». رَوَاهُ الْخَمْسَةُ بِإِسْنَادٍ صَحِيحٍ، وَزَادَ أَحْمَدُ: «**وَاحِدَةً أَوْ دَعْ**». وَفِي الصَّحِيحِ عَنْ مُعَيْقِيبٍ نَحْوُهُ بِغَيْرِ تَعْلِيلٍ.

**190.** Narrated 'Aisha رضي الله عنها: I asked Allâh's Messenger صلى الله عليه وسلم about looking at the sides during prayer and he said, "It is something which the devil snatches from a slave's prayer." [Reported by Al-Bukhâri].

(١٩٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنِ الِالْتِفَاتِ فِي الصَّلَاةِ، فَقَالَ: «**هُوَ اخْتِلَاسٌ يَخْتَلِسُهُ الشَّيْطَانُ مِنْ صَلَاةِ الْعَبْدِ**». رَوَاهُ الْبُخَارِيُّ.

And in At-Tirmidhi: "Avoid looking sideways when you are engaged in prayer, for looking sideways is destruction. And if you

وَلِلتِّرْمِذِيِّ عَنْ أَنَسٍ - وَصَحَّحَهُ -: «إِيَّاكَ وَالِالْتِفَاتَ فِي الصَّلَاةِ، فَإِنَّهُ هَلَكَةٌ، فَإِنْ

---

[1] If food is served then eating of food is preferable even there is no hunger for it. The philosophy behind it is that one should stand before Allâh with complete concentration being above all worldly needs. On the other hand, it is not permitted to go for eating at the time of prayer, when food is not served.

[2] Removing stones from the place of prostration is prohibited when stones are small and harmless. If stones are big and troublesome and hamper concentration, then there is no harm in removing of them.

[3] Mu'aiqib bin Abû Fâtima Ad-Dausi became a Muslim long ago in Makka, and migrated to Abyssinia (Ethiopia) during the second *Hijra*. He witnessed Badr. He kept the Prophet's صلى الله عليه وسلم seal, and Abû Bakr and then 'Umar put him incharge of the *Bait-ul-Mâl*. He died during 'Uthmân's caliphate.

must do it, do so[1] in the voluntary prayers."[2]

كَانَ لاَ بُدَّ فَفِي التَّطَوُّعِ».

**191.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When anyone of you is engaged in *Salât* (prayer), he is holding intimate conversation with his *Rabb* so he should not spit neither in front of him[3], nor to his right side, but to his left side, under his foot". [Agreed upon]. A version has: "or under his foot".

(١٩١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَ أَحَدُكُمْ فِي الصَّلاَةِ فَإِنَّهُ يُنَاجِي رَبَّهُ فَلاَ يَبْصُقَنَّ بَيْنَ يَدَيْهِ وَلاَ عَنْ يَمِينِهِ، وَلَكِنْ عَنْ شِمَالِهِ تَحْتَ قَدَمِهِ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ: «أَوْ تَحْتَ قَدَمِهِ».

**192.** Narrated (Anas) رضي الله عنه: 'Aisha رضي الله عنها had a *Qirâm*[4] with which she had screened one side of her house. The Prophet صلى الله عليه وسلم said, "Take away[5] this *Qirâm* of yours, for its pictures are still displayed in front of me during my prayer." [Reported by Al-Bukhâri].

(١٩٢) وَعَنْهُ قَالَ: كَانَ قِرَامٌ لِعَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، سَتَرَتْ بِهِ جَانِبَ بَيْتِهَا، فَقَالَ لَهَا النَّبِيُّ ﷺ: «أَمِيطِي عَنَّا قِرَامَكِ هَذَا، فَإِنَّهُ لاَ تَزَالُ تَصَاوِيرُهُ تَعْرِضُ لِي فِي صَلاَتِي». رَوَاهُ الْبُخَارِيُّ.

Al-Bukhâri and Muslim have also reported a *Hadîth* narrated by her ('Aisha رضي الله عنها) in which is mentioned the story of Abû Jahm's[6]

وَاتَّفَقَا عَلَى حَدِيثِهَا فِي قِصَّةِ أَنْبِجَانِيَّةِ أَبِي جَهْمٍ، وَفِيهِ: «فَإِنَّهَا أَلْهَتْنِي عَنْ صَلاَتِي».

[1] If at all, it is necessary, could be moved in *Nawafil* (voluntary) prayers, but not in the *Fard* (obligatory) prayers, because there is less harm of this act in voluntary prayers. At the time of dire need, it is permissible as is evident from the last illness event of the noble Prophet صلى الله عليه وسلم, when he came out of his house for prayer, Abû Bakr Siddiq, who was leading the prayer, wanted to draw back but apprehending the gesture of the Prophet صلى الله عليه وسلم, kept on leading the prayer, and the noble Prophet صلى الله عليه وسلم did not object Abû Bakr for this act.

[2] During the voluntary prayer also if face is moved away from *Qiblah*, then the prayer is discontinued.

[3] It is to be remembered that one should never spit in the direction of *Qiblah*, or to one's right side whether in a prayer or not.

[4] A soft piece of cloth with colours.

[5] It means that anything which diverts the attention should be removed from the place of prayer. If not possible, one should move away and avoid the place.

[6] He is Ibn Hudhaifa bin Ghânim Al-Qurashi Al-'Adawi. His name is 'Aamir or 'Ubaid. He became a Muslim in the year of the conquest of Makka. He was among the *Sahâba*

*Ambijânia*[1] with the addition: "it (the *Khamisa*)[2] has distracted me[3] from my prayer."

**193.** Narrated Jâbir bin Samura رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Those people who raise their eyes to heaven while in *Salât* (prayer) should stop (doing so) or else their sights will not return back[4] to them." [Reported by Muslim].

(١٩٣) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَيَنْتَهِيَنَّ أَقْوَامٌ يَرْفَعُونَ أَبْصَارَهُمْ إِلَى السَّمَاءِ فِي الصَّلَاةِ، أَوْلَا تَرْجِعُ إِلَيْهِمْ». رَوَاهُ مُسْلِمٌ.

Narrated 'Aisha رضي الله عنها in another version of it (Muslim): I heard Allâh's Messenger صلى الله عليه وسلم say, "No *Salât* (prayer) can be (rightly offered) with food brought (before the worshipper) or when he is resisting the urge to relieve himself of the filths[5] (i.e. urine and faeces)."

وَلَهُ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «لَا صَلَاةَ بِحَضْرَةِ الطَّعَامِ، وَلَا وَهُوَ يُدَافِعُهُ الْأَخْبَثَانِ».

**194.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Yawning is caused by the devil[6], so

(١٩٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «التَّثَاؤُبُ مِنَ

---

enjoying longevity, for he attended the building of the Ka'ba by Quraish before the advent of the Prophet صلى الله عليه وسلم and witnessed its reconstruction by 'Abdullâh bin Az-Zubair during whose early days of caliphate he died.

[1] A plain wollen garment.

[2] A soft piece of clothe with designs and colours.

[3] It means that mosques should not be decorated with designs and ornaments, etc. as they are impediments for concentration. Imâm Nawawi has quoted the consensus of Muslim scholars in this regard and considered it as absolute prohibition.

[4] Imâm An-Nawawi has reported consensus of Muslim scholars that this prohibition is an absolute one. Ibn Hazm says that the prayer is invalidated.

[5] If someone feels a strong need of answering the call of nature, urination or passing the wind, and has enough time, one should do it before going to prayer, otherwise prayer will be aversive. According to some it will not be regarded a prayer at all because of lack of concentration, fear of Allâh, and humility. If time is short and need is not very urgent, one should offer the prayer than to delay it.

[6] Yawning is a result of filled stomach and laziness. Satan rejoices seeing a man in such a condition, so yawning is characterized as a satanic behaviour.

when one of you yawns he must repress it as much as he can." [Reported by Muslim and At-Tirmidhi. The latter added: "during *Salât* (prayers)"[1]].

الشَّيْطَانِ فَإِذَا تَثَاءَبَ أَحَدُكُمْ فَلْيَكْظِمْ مَا اسْتَطَاعَ». رَوَاهُ مُسْلِمٌ وَالتِّرْمِذِيُّ، وَزَادَ: «فِي الصَّلاَةِ».

## Chapter 6 MOSQUES

## ٦ - بَابُ الْمَسَاجِدِ

**195.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم ordered that a mosque be built in a residential district[2] and that it be cleaned and perfumed. [Reported by Ahmad, Abû Dâ'ud and At-Tirmidhi. The latter approved as *Mursal*].

(١٩٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَمَرَ رَسُولُ اللهِ ﷺ بِبِنَاءِ الْمَسَاجِدِ فِي الدُّورِ، وَأَنْ تُنَظَّفَ وَتُطَيَّبَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَ إِرْسَالَهُ.

**196.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "May Allâh curse the Jews! they have turned the graves of their Prophets into mosques." [Agreed upon]. Muslim added: "and Christians."

(١٩٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَاتَلَ اللَّهُ الْيَهُودَ، اتَّخَذُوا قُبُورَ أَنْبِيَائِهِمْ مَسَاجِدَ». مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ: «وَالنَّصَارَى».

Narrated 'Aisha رضي الله عنها in Al-Bukhâri and Muslim (that Allâh's Messenger صلى الله عليه وسلم said), "When a pious person amongst them (the Jews and Christians) dies they used to build a place of worship and prostration on his grave." In the same *Hadîth* is: "Those are the worst of creatures."[3]

وَلَهُمَا مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: كَانُوا إِذَا مَاتَ فِيهِمُ الرَّجُلُ الصَّالِحُ بَنَوْا عَلَى قَبْرِهِ مَسْجِداً. وَفِيهِ: أُولَئِكَ شِرَارُ الْخَلْقِ.

---

[1] Suppressing a yawn, during a prayer or at any other time is *Sunna*. During prayer, one should be more careful about yawning as it affects the concentration.

[2] So that one could pray in the vicinity of his home.

[3] "Turning graves into mosques" have two meanings. First, actions and deeds which are supposed to be done before Allâh in the mosques, are performed near or upon the graves, such as prostration, bowing, sitting on hams or standing with folding hands as a sign of respect; and secondly, to build the mosques near the graves. Whatever the meanings may be, it is prohibited in any way.

**197.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم sent an expedition of horsemen who came back with a man, they then tied[1] him to one of the pillars of the mosque[2]. [Agreed upon].

(١٩٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: بَعَثَ النَّبِيُّ ﷺ خَيْلاً، فَجَاءَتْ بِرَجُلٍ، فَرَبَطُوهُ بِسَارِيَةٍ مِنْ سَوَارِ الْمَسْجِدِ»، الْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

**198.** Narrated (Abû Huraira) رضي الله عنه: 'Umar came over Hassân[3] while reciting poetry inside the mosque and looked at him sternly, then he (Hassân) said, "I used to recite poetry inside it (the mosque)[4] in the presence of one who is more pious than you (i.e. the Prophet صلى الله عليه وسلم)." [Agreed upon].

(١٩٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ عُمَرَ مَرَّ بِحَسَّانَ يَنْشُدُ فِي الْمَسْجِدِ، فَلَحَظَ إِلَيْهِ، فَقَالَ: قَدْ كُنْتُ أُنْشِدُ فِيهِ، وَفِيهِ مَنْ هُوَ خَيْرٌ مِنْكَ. مُتَّفَقٌ عَلَيْهِ.

**199.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever hears a man crying out in the mosque about something he has lost, he should say, 'May Allâh not restore it to you[5]', for the mosques were not built for this." [Reported by Muslim].

(١٩٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ سَمِعَ رَجُلاً يَنْشُدُ ضَالَّةً فِي الْمَسْجِدِ فَلْيَقُلْ: لاَ رَدَّهَا اللَّهُ عَلَيْكَ، فَإِنَّ الْمَسَاجِدَ لَمْ تُبْنَ لِهٰذَا». رَوَاهُ مُسْلِمٌ.

**200.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(٢٠٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا رَأَيْتُمْ مَنْ يَبِيعُ أَوْ

[1] It means that temporarily a mosque can be used as a lock-up.

[2] This *Hadîth* tells that a polytheist can enter a mosque because he is impure immanently and not evidently, but he is not allowed to enter the sacred Ka'ba and cannot perform *Hajj*.

[3] He is Hassân bin Thâbit Al-Ansâri Al-Khazraji who was the poet of Allâh's Messenger صلى الله عليه وسلم. Abû 'Ubaida said, 'Arabs have agreed that Hassân bin Thabit was the best poet among them.' He died before 40 H. during the caliphate of 'Ali . It is also said that he died in 50 H. at the age of 120 years of which he lived sixty years in the *Jâhiliya* (Ignorance) and sixty in Islâm.

[4] This is a proof that good moral and elevated poetry can be recited in the mosque. Hassân bin Thâbit used to recite poems of significance in response to satirical poetry of infidels and the noble Prophet صلى الله عليه وسلم always praised him by saying, "Gibrael helps you."

[5] This is by way of condemnation so that people should not talk absurd in mosques. For example, in case of the lost cattle one should not inquire about it inside the mosque from people by disturbing and interrupting them in their concentration towards Allâh. He may stand at the gate of the mosque and ask people.

"If you see someone buying or selling inside the mosque, say: May Allâh not make your trading profitable!"[1] [Reported by An-Nasâ'i and At-Tirmidhi and the latter graded it *Hasan*].[2]

يَبْتَاعُ فِي الْمَسْجِدِ فَقُولُوا: لاَ أَرْبَحَ اللَّهُ تِجَارَتَكَ». رَوَاهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

**201.** Narrated Hakim bin Hizâm[3] (رضي الله عنه): Allâh's Messenger صلى الله عليه وسلم said, "Neither the prescribed punishments nor retaliations should be executed inside the mosque." [Reported by Ahmad and Abû Dâ'ud through a weak *Sanad*].

(٢٠١) وَعَنْ حَكِيمِ بْنِ حِزَامٍ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تُقَامُ الْحُدُودُ فِي الْمَسَاجِدِ، وَلاَ يُسْتَقَادُ فِيهَا». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ بِسَنَدٍ ضَعِيفٍ.

**202.** Narrated 'Aisha رضي الله عنها: On the day of *Al-Khandaq* (battle of the Trench), Sa'd[4] was injured and Allâh's Messenger صلى الله عليه وسلم pitched a tent for him in the mosque to visit him from a close distance.[5] [Agreed upon].

(٢٠٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أُصِيبَ سَعْدٌ يَوْمَ الْخَنْدَقِ، فَضَرَبَ عَلَيْهِ رَسُولُ اللهِ ﷺ خَيْمَةً فِي الْمَسْجِدِ، لِيَعُودَهُ مِنْ قَرِيبٍ. مُتَّفَقٌ عَلَيْهِ.

**203.** Narrated ('Aisha) رضي الله عنها: I saw Allâh's Messenger صلى الله عليه وسلم at the door of my house screening me while I watched some Abyssinians

(٢٠٣) وَعَنْهَا قَالَتْ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَسْتُرُنِي، وَأَنَا أَنْظُرُ إِلَى الْحَبَشَةِ يَلْعَبُونَ

---

[1] It means that mosques should not be treated as markets, because it will affect the dignity of mosque and prayers.

[2] Doing business in mosques is prohibited. Whoever trades there, will be regarded as sinful but the deal will be considered as valid.

[3] He is Abû Khâlid Al-Qurashi Al-Asadi, the brother of Khadija 'Mother of the Believers.' He was among the noble men of Quraish and was born in the Ka'ba 13 years before the incident of the elephant. He became a Muslim during the year of the conquest of Makka and died at Al-Madîna in 54 H. at the age of 120 years.

[4] Sa'd bin Mu'âdh was the leader of Al-Aus and one of the greatest *Sahâba*. He became a Muslim between the first and second *'Aqaba*, and Banu 'Abdul-Ashhal became Muslims due to his Islamic faith. He was bold, noble and obeyed by his people. He was hit by an arrow on his arm during the battle of *Khandaq* (battle of Trench) and after the battle of Banu Quraiza, in Dhul Hijja 5H., he died of that injury.

[5] This *Hadîth* is a proof that erecting a tent in the mosque, sleeping there and residing of a sick or wounded person is permissible.

(Ethiopians)[1] who were playing in the mosque.[2] [Agreed upon].

فِي الْمَسْجِدِ، اَلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

**204.** Narrated ('Aisha) رضي الله عنها : One black slave-girl had a tent in the mosque and she used to come to me and talk (with me) in my house[3]. [Agreed upon].

(٢٠٤) وَعَنْهَا أَنَّ وَلِيدَةً سَوْدَاءَ كَانَ لَهَا خِبَاءٌ فِي الْمَسْجِدِ، فَكَانَتْ تَأْتِينِي، فَتَحَدَّثُ عِنْدِي. اَلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

**205.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Spitting in the mosque is a sin and its expiation is burying it." [Agreed upon].

(٢٠٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«الْبُصَاقُ فِي الْمَسْجِدِ خَطِيئَةٌ، وَكَفَّارَتُهَا دَفْنُهَا»**. مُتَّفَقٌ عَلَيْهِ.

**206.** Narrated (Anas) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The Hour (of Doomsday) will not come until people boast (to each other) with (the construction and decoration of) mosques.[4]" [Reported by *Al-Khamsa* except At-Tirmidhi, and Ibn Hibbân graded it *Sahih* (sound).

(٢٠٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«لَا تَقُومُ السَّاعَةُ حَتَّى يَتَبَاهَى النَّاسُ فِي الْمَسَاجِدِ»**. أَخْرَجَهُ الْخَمْسَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**207.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "I was not commanded to build beautified[5] mosques". [Reported by Abû Dâ'ud, and Ibn Hibbân graded it *Sahih* (sound)].

(٢٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«مَا أُمِرْتُ بِتَشْيِيدِ الْمَسَاجِدِ»**. أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

[1] It means that woman can look at a man without any particular intention.

[2] The games, helpful in *Jihâd* (fighting in Allâh's cause) are permissible to be played in the mosque, as the Abyssinian negroes were playing war games.

[3] Complete *Hadîth* is narrated in *Sahih Al-Bukhâri*. Object of giving it here is to inform that a woman also can stay in the mosque and the erection of a tent is also permissible.

[4] It means that they will proudly compete each other and will boast about the embellishment and beautification of their mosques. It may also mean that they will boast about their superiority and eminence in mosques whereas these are the places of showing humility and humbleness before Allâh.

[5] This *Hadîth* indicates that being a Jewish custom, making of designs and ornaments in mosques is forbidden.

**208.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The rewards of my *Ummah* (followers) were shown to me, even a peck of dust a man takes out of the mosque." [Reported by Abû Dâ'ud and At-Tirmidhi. The latter graded it *Gharib* (unfamiliar), and Ibn Khuzaima graded it *Sahih* (sound)].

(٢٠٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عُرِضَتْ عَلَيَّ أُجُورُ أُمَّتِي، حَتَّى الْقَذَاةِ يُخْرِجُهَا الرَّجُلُ مِنَ الْمَسْجِدِ». رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَاسْتَغْرَبَهُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**209.** Narrated Abû Qatâda رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you enters the mosques, he should pray two *Rak'a* before sitting[1] down." [Agreed upon].

(٢٠٩) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا دَخَلَ أَحَدُكُمُ الْمَسْجِدَ فَلَا يَجْلِسْ حَتَّى يُصَلِّيَ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

## Chapter 7
## THE DESCRIPTION OF THE *SALAT* (PRAYER)

## ٧ - بَابُ صِفَةِ الصَّلَاةِ

**210.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When you get up to pray, perform the ablution perfectly, then face the *Qiblah* and say; '*Allâhu Akbar*' (Allâh is the Most Great). Then recite a convenient portion of the Qur'ân;[2] then bow and remain in that position for a moment, then rise up and stand erect; then prostrate and remain in that position for a moment, then rise up and sit perfectly[3], then prostrate

(٢١٠) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: إِذَا قُمْتَ إِلَى الصَّلَاةِ فَأَسْبِغِ الْوُضُوءَ، ثُمَّ اسْتَقْبِلِ الْقِبْلَةَ فَكَبِّرْ، ثُمَّ اقْرَأْ مَا تَيَسَّرَ مَعَكَ مِنَ الْقُرْآنِ، ثُمَّ ارْكَعْ حَتَّى تَطْمَئِنَّ رَاكِعاً، ثُمَّ ارْفَعْ حَتَّى تَعْتَدِلَ قَائِماً، ثُمَّ اسْجُدْ حَتَّى تَطْمَئِنَّ سَاجِداً، ثُمَّ ارْفَعْ حَتَّى تَطْمَئِنَّ جَالِساً، ثُمَّ اسْجُدْ حَتَّى

[1] This is evident that these two *Rak'at* are *Tahiyat-al-Masjid* (salutation to the mosque). Some of the religious scholars consider these as compulsory whereas most of others regard them only desirable. Looking at the evident meanings of the *Hadith* some scholars have allowed to offer even at the prohibited (odious) time, whereas other scholars forbid in these times.

[2] It is obvious that the recitation of the noble Qur'ân is compulsory. There is a *Hadith* which reads ثم اقرأ بأم القرآن. It is evident that it means *Sûrat Al-Fâtiha*.

[3] Those who are careless in the performance of bowing, prostrations, sitting, etc. in their prayer should ponder over this *Hadith*, careless and hasty actions are inaccurate. These careless actions destroy their prayers. The noble Prophet صلى الله عليه وسلم named this kind of

تَطْمَئِنَّ سَاجِداً، ثُمَّ افْعَلْ ذَلِكَ فِي صَلَاتِكَ كُلِّهَا». أَخْرَجَهُ السَّبْعَةُ، وَاللَّفْظُ لِلْبُخَارِيِّ.

and remain in that position for a moment; then do that throughout your prayer." [Reported by *As-Sab'a* and the version is that of Al-Bukhâri].

وَلِابْنِ مَاجَهْ بِإِسْنَادِ مُسْلِمٍ: «حَتَّى تَطْمَئِنَّ قَائِماً» وَمِثْلُهُ فِي حَدِيثِ رِفَاعَةَ بْنِ رَافِعِ بْنِ مَالِكٍ عِنْدَ أَحْمَدَ وَابْنِ حِبَّانَ. وَفِي لَفْظٍ لِأَحْمَدَ: فَأَقِمْ صُلْبَكَ حَتَّى تَرْجِعَ الْعِظَامُ.

The version of Ibn Mâjah through a chain of Muslim has: "then rise up and stand erect properly." And in the version of Ibn Hibbân and Ahmad narrated by Rifâ'a bin Râfi' bin Mâlik[1] it is the same as above. And Ahmad has: "keep your back straight till the bones return (to their positions)."

وَلِلنَّسَائِيِّ وَأَبِي دَاوُدَ مِنْ حَدِيثِ رِفَاعَةَ ابْنِ رَافِعٍ: إِنَّهَا لَنْ تَتِمَّ صَلَاةُ أَحَدِكُمْ حَتَّى يُسْبِغَ الْوُضُوءَ كَمَا أَمَرَهُ اللَّهُ تَعَالَى، ثُمَّ يُكَبِّرَ اللَّهَ تَعَالَى، وَيَحْمَدَهُ، وَيُثْنِيَ عَلَيْهِ. وفيها: فَإِنْ كَانَ مَعَكَ قُرْآنٌ فَاقْرَأْ، وَإِلَّا فَاحْمَدِ اللَّهَ، وَكَبِّرْهُ، وَهَلِّلْهُ. وَلِأَبِي دَاوُدَ «ثُمَّ اقْرَأْ بِأُمِّ الْقُرْآنِ، وَبِمَا شَاءَ اللَّهُ» وَلِابْنِ حِبَّانَ: «ثُمَّ بِمَا شِئْتَ».

And in the version of An-Nasâ'i and Abû Dâ'ud narrated by Rifâ'a bin Râfi': "The *Salât* (prayer) of one of you will not be complete until he performs *Wudu* (ablution) properly as Allâh commanded him, then he says *Allâhu Akbar* and *Alhamdu lillâh* and praises Him." It is also mentioned in the same *Hadîth*, "If you know any portion of the Qur'ân, read it or else say: *Alhamdu lillâh, Allâhu Akbar* and *La ilâha ill-Allâh*." And Abû Dâ'ud has: "Then read the *Umm-ul-Qur'ân*[2] (i.e. *Sûrat Al-Fâtiha*) and whatever Allâh wishes". Ibn Hibbân also has: "and then (read) whatever you wish."

---

prayer as the "prayer of hypocrite" and the performers as "the thieves of worst type."

[1] He is nicknamed Abû Mu'âdh and was Az-Zurqi Al-Ansâri Al-Madani, - a great *Sahâbi* who attended *Al-'Aqaba* with his father who was the first *Ansâri* to become a Muslim. Rifâ'a participated in Badr and all the latter battles and also was with 'Ali during the battles of *Al-Jamal* and *Siffin*. He died during the beginning of Mu'âwiya's caliphate in 41 H.

[2] *Umm-ul-Qur'ân* (أم القرآن) is a name used for *Sûrat Al-Fâtiha*. This *Hadîth* indicates that the recitation of *Al-Fâtiha* and some other chapter or verses of the noble Qur'ân is essential. According to some religious scholars, after the recitation of *Al-Fâtiha* a little more recitation is essential, but to others it is only preferable or desired. For more detail see books of *Ahadît*.

**211.** Narrated Abû Humaid As-Sâ'idi[1] رضي الله عنه: "I saw Allâh's Messenger[2] صلى الله عليه وسلم when he uttered the *Takbir,* he placed his hands parallel to his shoulders;[3] and when he bowed down, he rested his hands on his knees, then bent his back. When he raised his head up, he stood erect until the bones of his spine became straight. When he prostrated, he placed his arms such that they were neither spread out nor drawn in, and the points of his toes were facing the *Qiblah*; when he sat up, at the end of two *Rak'a,* he sat on his left foot and put erect the right one; and when he sat up after the last *Rak'a* he put forward the left foot, put erect the other one and sat on his buttock." [Reported by Al-Bukhâri].

(٢١١) وَعَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ إِذَا كَبَّرَ جَعَلَ يَدَيْهِ حَذْوَ مَنْكِبَيْهِ، وَإِذَا رَكَعَ أَمْكَنَ يَدَيْهِ مِنْ رُكْبَتَيْهِ ثُمَّ هَصَرَ ظَهْرَهُ، فَإِذَا رَفَعَ رَأْسَهُ اسْتَوَى، حَتَّى يَعُودَ كُلُّ فَقَارٍ مَكَانَهُ، فَإِذَا سَجَدَ وَضَعَ يَدَيْهِ غَيْرَ مُفْتَرِشٍ وَلاَ قَابِضِهِمَا، وَاسْتَقْبَلَ بِأَطْرَافِ أَصَابِعِ رِجْلَيْهِ الْقِبْلَةَ، وَإِذَا جَلَسَ فِي الرَّكْعَتَيْنِ جَلَسَ عَلَى رِجْلِهِ الْيُسْرَى، وَنَصَبَ الْيُمْنَى، وَإِذَا جَلَسَ فِي الرَّكْعَةِ الأَخِيرَةِ قَدَّمَ رِجْلَهُ الْيُسْرَى، وَنَصَبَ الأُخْرَى، وَقَعَدَ عَلَى مَقْعَدَتِهِ. أَخْرَجَهُ الْبُخَارِيُّ.

**212.** Narrated 'Ali bin Abi Tâlib رضي الله عنه: Whenever Allâh's Messenger صلى الله عليه وسلم stood for *Salât* (prayer), he used to say:[4] "I have turned my face as a monotheist towards Him who created the heavens and the earth and I am not from the polytheists. My prayer and my devotion, my life and

(٢١٢) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ، أَنَّهُ كَانَ إِذَا قَامَ إِلَى الصَّلاَةِ، قَالَ: «**وَجَّهْتُ وَجْهِيَ لِلَّذِي فَطَرَ السَّمَاوَاتِ وَالأَرْضَ** - إِلَى قَوْلِهِ - **مِنَ الْمُسْلِمِينَ. اللَّهُمَّ أَنْتَ**

[1] Abû Humaid is called 'Amr or Mundhir bin Sa'd bin Al-Mundhir or Mâlik Al-Ansâri Al-Khazraji Al-Madani. He descended from Sâ'ida who is the father of Al-Khazraj. He participated in Uhud and the battles that followed and died either towards the end of Mu'âwiya's caliphate or at the beginning of Yazid's rule in 61 H.

[2] Muslim *Ummah* ought to offer their prayers like the prayer of the noble Prophet صلى الله عليه وسلم. He used to pray with peace of mind and perfection. Hasty performance is disapproved.

[3] In this *Hadith, Rafa' yadain* (raising of hands) is mentioned up to the shoulders. In the narration of Wâ'il bin Hujr it is mentioned up to the the ears.

[4] In the end of this *Hadith* it is mentioned that the noble Prophet صلى الله عليه وسلم used to recite this supplication in *Tahajjud* (تهجد — a prayer offered after midnight). The author in his book *Talkhis* has reported from Imâm Shâfi'i and Ibn Khuzaima that the noble Prophet صلى الله عليه وسلم recited it in obligatory prayers. Possibility of recitation of this supplication is there in both the prayers, in the narration of 'Ali رضي الله عنه.

my death belong to Allâh, the Lord of the universe, Who has no partner. That is what I have been commanded, and I am a Muslim. O Allâh, You are the King. There is no God but You. You are my *Rabb* and I am Your slave.[1] I have wronged myself, but I acknowledge my sin, so forgive me all my sins, You alone can forgive sins; and guide me to the best qualities, You alone can guide to the best of them: and turn me from evil ones, You alone can turn from evil qualities. I come to serve and please You. All good is in Your Hands and evil does not pertain to You. I seek refuge in You and turn to You, You are the Blessed and the Exalted. I ask Your forgiveness and turn to You in repentance." [Reported by Muslim]. And in another version of Muslim: "he used to say in the night prayer..."

الْمَلِكُ، لاَ إِلاَّ أَنْتَ، أَنْتَ رَبِّي وَأَنَا عَبْدُكَ، إلى آخره». رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ لَهُ إِنَّ ذَلِكَ فِي صَلاَةِ اللَّيْلِ.

**213.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to keep silent between the *Takbir* of prayer and the recitation of the Qur'ân for a short while. Then, I asked him (about that) and he replied, "I say, 'O Allâh! Keep me apart from my sins (faults) as you have kept apart the east and west. O Allâh clean me from my sins as a white garment is cleaned from dirt. O Allâh wash me off my sins with water, snow and hail." [Agreed upon].

(٢١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا كَبَّرَ لِلصَّلاَةِ سَكَتَ هُنَيْهَةً قَبْلَ أَنْ يَقْرَأَ، فَسَأَلْتُهُ، فَقَالَ: أَقُولُ: «اللَّهُمَّ بَاعِدْ بَيْنِي وَبَيْنَ خَطَايَايَ، كَمَا بَاعَدْتَ بَيْنَ الْمَشْرِقِ وَالْمَغْرِبِ، اللَّهُمَّ نَقِّنِي مِنْ خَطَايَايَ، كَمَا يُنَقَّى الثَّوْبُ الأَبْيَضُ مِنَ الدَّنَسِ، اللَّهُمَّ اغْسِلْنِي مِنْ خَطَايَايَ بِالْمَاءِ وَالثَّلْجِ وَالْبَرَدِ». مُتَّفَقٌ عَلَيْهِ.

**214.** Narrated 'Umar رضي الله عنه: He (صلى الله عليه وسلم) used to say, "O Allâh, glory

(٢١٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى

[1] In these hallowed words, a Muslim is instructed to ask forgiveness from Allâh on his sins, known and unknown, even the most obedient and pious he may be.

and gratitude is to You, Blessed is Your Name and Exalted is Your Majesty and there is no God besides You." [Reported by Muslim with a *Munqati'* chain. And in the version of Ad-Dâraqutni, it is *Mawsûl* and also *Mawqûf*].

عَنْهُ، أَنَّهُ كَانَ يَقُولُ: «**سُبْحَانَكَ اللَّهُمَّ، وَبِحَمْدِكَ، وَتَبَارَكَ اسْمُكَ، وَتَعَالَى جَدُّكَ، وَلَا إِلَهَ غَيْرُكَ**». رَوَاهُ مُسْلِمٌ بِسَنَدٍ مُنْقَطِعٍ، وَالدَّارَقُطْنِيُّ مَوْصُولاً، وَهُوَ مَوْقُوفٌ.

Narrated Abû Sa'îd Al-Khudri رضى الله عنه: He (صلى الله عليه وسلم) used to say after the *Takbir* (for prayer), "I seek refuge in Allâh, the All-Hearing and the All-Knowing from the accursed devil, from his madness or evil suggestion (*Hamz*), from his puffing up (*Nafkh*), and from his witchcraft (*Nafth*)."

وَنَحْوُهُ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ مَرْفُوعاً عِندَ الْخَمْسَةِ، وَفِيهِ: وَكَانَ يَقُولُ بَعْدَ التَّكْبِيرِ: «**أَعُوذُ بِاللهِ السَّمِيعِ الْعَلِيمِ مِنَ الشَّيْطَانِ الرَّجِيمِ مِنْ هَمْزِهِ، وَنَفْخِهِ، وَنَفْثِهِ**».

**215.** Narrated 'Aisha رضى الله عنها: Allâh's Messenger صلى الله عليه وسلم used to begin the *Salât* (prayer) with *Takbir* (*Allâhu Akbar* – Allâh is the Most Great) and the recitation of *Alhamdu lillâhi Rabbil-'âlamin* (praise is to Allâh, the *Rabb* of the universe)."[1] And when he bowed down, he neither kept his head up nor bent it down, but kept it between that (two positions). When he raised his head from the bowing position, he did not prostrate till he had stood erect; and when he raised his head after a prostration, he did not prostrate again till he had sat up. And at the end of every two *Rak'a* he said the *Tahiya,* and he used to sit on his left foot and position the right one vertically, and he prohibited the devil's way of sitting[2] on the buttocks and he forbade people to

(٢١٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَسْتَفْتِحُ الصَّلَاةَ بِالتَّكْبِيرِ، وَالْقِرَاءَةَ بِـ«الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ»، وَكَانَ إِذَا رَكَعَ لَمْ يُشْخِصْ رَأْسَهُ وَلَمْ يُصَوِّبْهُ، وَلَكِنْ بَيْنَ ذَلِكَ؛ وَكَانَ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ لَمْ يَسْجُدْ حَتَّى يَسْتَوِيَ قَائِماً، وَإِذَا رَفَعَ رَأْسَهُ مِنَ السُّجُودِ لَمْ يَسْجُدْ حَتَّى يَسْتَوِيَ جَالِساً، وَكَانَ يَقُولُ فِي كُلِّ رَكْعَتَيْنِ التَّحِيَّةَ، وَكَانَ يَفْرِشُ رِجْلَهُ الْيُسْرَى، وَيَنْصِبُ الْيُمْنَى، وَكَانَ يَنْهَى عَنْ عُقْبَةِ الشَّيْطَانِ، وَيَنْهَى أَنْ يَفْتَرِشَ الرَّجُلُ ذِرَاعَيْهِ افْتِرَاشَ السَّبُعِ، وَكَانَ يَخْتِمُ الصَّلَاةَ بِالتَّسْلِيمِ. أَخْرَجَهُ مُسْلِمٌ، وَلَهُ عِلَّةٌ.

---

[1] *Sûrat Al-Fâtiha.*

[2] "Satan's sitting" is to put the buttocks on the ground and raise the calves and knees, with the hands on ground on both sides. "Sitting of beasts" is to sit on calves and hams and then to bend forward stretching the hands ahead on the ground.

spread out their arms like a wild beast. And he used to finish the prayer with the *Taslim* (i.e. saying *As-Salâmu 'alaikum*) [Reported by Muslim and it has a defect].

**216.** Narrated Ibn 'Umar رضى الله عنهما: The Prophet صلى الله عليه وسلم (when he stood up for prayer) used to raise his hands parallel to his shoulders[1] when he starts the prayer (by saying *Allâhu Akbar*), when he utters the *Takbir* to bow and when he raises his head from the *Rukû'* (bowing posture). [Agreed upon].

(٢١٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَرْفَعُ يَدَيْهِ حَذْوَ مَنْكِبَيْهِ إِذَا افْتَتَحَ الصَّلَاةَ وَإِذَا كَبَّرَ لِلرُّكُوعِ، وَإِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ. مُتَّفَقٌ عَلَيْهِ.

Abû Dâ'ud reported a *Hadîth* narrated by Abû Humaid (رضى الله عنه) to the effect that he (Allâh's Messenger صلى الله عليه وسلم) used to raise his hands and bring them parallel to his shoulders, and then utter the *Takbir*.

وَفِي حَدِيثِ أَبِي حُمَيْدٍ عِنْدَ أَبِي دَاوُدَ يَرْفَعُ يَدَيْهِ حَتَّى يُحَاذِيَ بِهِمَا مَنْكِبَيْهِ، ثُمَّ يُكَبِّرُ.

In the version of Muslim, a *Hadîth* narrated by Mâlik bin Huwairith رضى الله عنه is same as the *Hadîth* narrated by Ibn 'Umar (رضى الله عنهما). But he (Mâlik bin Huwairith) mentioned: "He (the Prophet صلى الله عليه وسلم) raised his hands parallel to the end of his ears."

وَلِمُسْلِمٍ عَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. نَحْوُ حَدِيثِ ابْنِ عُمَرَ، لَكِنْ قَالَ: حَتَّى يُحَاذِيَ بِهِمَا فُرُوعَ أُذُنَيْهِ.

**217.** Narrated Wâ'il bin Hujr[2] رضى الله عنه: I prayed with the Prophet صلى الله عليه وسلم

(٢١٧) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ،

[1] This narration of 'Abdullâh bin 'Umar رضى الله عنهما is clear enough to prove that at the start of a prayer, at the time of bowing and at rising from bowing, the raising of hands up to ears is *Sunna*. The words كان يرفع denote the perpetuity. It proves that raising of hands was not concelled nor given up. All the *Ahadîth* against the 'raising of hands' are *Da'if* (weak) or *Maudû'* (forged). Among the weak *Ahadîth*, weaknesses of some are unanimously agreed and some are controversial. From all of them, the narration of 'Abdullâh bin Mas'ûd رضى الله عنه is regarded as better. Imâm Bukhâri quoted his teacher 'Ali bin Madini's legal opinion on the basis of 'Abdullah bin 'Umar's narration that it becomes essential for all Muslims to raise hands. Controversy of this issue is too lengthy to be discussed here.

[2] Abû Hunaida or Abû Hinda, Wâ'il bin Hujr was a great *Sahâbi* and his father was one of the kings of Hadramout. He visited the Prophet صلى الله عليه وسلم who spread out his upper cloth for him to sit on and asked blessings for him and his children. He then appointed him incharge of the Aqyâl of Hadramout. He settled at Kufa and died during Mu'âwiya's caliphate.

and he put his right hand on his left (and then placed them) on his chest.[1] [Reported by Ibn Khuzaima].

فَوَضَعَ يَدَهُ الْيُمْنَى عَلَى يَدِهِ الْيُسْرَى عَلَى صَدْرِهِ. أَخْرَجَهُ ابْنُ خُزَيْمَةَ.

**218.** Narrated 'Ubâda bin As-Sâmit[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There is no *Salât* (prayer) for him who does not recite the *Umm-ul-Qur'ân*[3] (*Sûrat Al-Fâtiha*)". [Agreed upon].

(٢١٨) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا صَلَاةَ لِمَنْ لَمْ يَقْرَأْ بِأُمِّ الْقُرْآنِ». مُتَّفَقٌ عَلَيْهِ.

In the version of Ibn Hibbân and Ad-Dâraqutni is mentioned: "The *Salât* (prayer) is not complete if one does not recite *Sûrat Al-Fâtiha*."

وَفِي رِوَايَةٍ لِابْنِ حِبَّانَ وَالدَّارَقُطْنِيِّ: «لَا تُجْزِئُ صَلَاةٌ لَا يُقْرَأُ فِيهَا بِفَاتِحَةِ الْكِتَابِ».

And in another version of Ahmad, Abû Dâ'ud, At-Tirmidhi, and Ibn

وَفِي أُخْرَى لِأَحْمَدَ وَأَبِي دَاوُدَ

[1] This *Hadîth* makes clear two things. First, folding of hands during prayer is *Sunna* and not folding is against *Sunna*. Some people attribute it to 'Ali رضي الله عنه, but it is not correct. Secondly, hands are to be folded on chest, not under the navel, which some people do. The narration on the basis which they argue is also incorrect.

[2] He was one of *Al-Ansâr* group leaders to the first and second *'Aqaba* agreements. He also attended Badr and the rest of battles. 'Umar sent him to Shâm as a *Qâdi* and a teacher. So he settled at Hims then moved to Palestine and died there at Ramla or Bait-ul-Maqdis in 34 H. at the age of 72 years.

[3] Above mentioned *Hadîth* is a clear proof that without reciting *Sûrat Al-Fâtiha*, prayer is not valid. Companions of the noble Prophet صلى الله عليه وسلم and the followers of the Companions and most of the scholars believed in this practice. In the *Hadîth* known as (مسيء الصلاة) the words are: اقرأ بأم الكتاب. The noble Prophet صلى الله عليه وسلم ordered to pray with the recitation of *Al-Fatiha*, in every *Rak'at*. *Imâm* (leader) and *Maqtadi* (follower) both have to recite *Al-Fâtiha*, no one is an exception and similarly in every prayer *Sirran* (سرا —secret, silent) or *Jehran* (جهرا — loud voice), it is necessary to recite *Al-Fâtiha*. Muslim has narrated a *Hadîth* from Abû Huraira رضي الله عنه, he was asked about the recitation of *Al-Fâtiha*, if the prayer is being offered behind the *Imâm*. Abu Huraira answered that it should be recited secretly (in low voice). Tirmidhi, Abû Dâ'ud, and Nasâ'i have reported a *Hadîth* from 'Ubâda رضي الله عنه: The noble Prophet صلى الله عليه وسلم asked, "Do you recite anything behind *Imâm*?" Companions رضي الله عنهم answered in positive then the noble Prophet صلى الله عليه وسلم, told them to recite *Al-Fâtiha* only and nothing else, because without the recitation of prayer is not valid. There are many other *Ahadîth* which prove that recitation of *Al-Fâtiha* is essential behind *Imâm* also. As regards the *Hadîth*, which tells that the recitation of *Imâm* is enough for followers, it is *Da'if* (weak). Among those who admit this view (recitation of *Fâtiha*), some are of the opinion that *Al-Fâtiha* should be recited in between the pauses of recitation of *Imâm*, and others say that it should be recited at the completion of *Al-Hamd* by *Imâm*.

Hibbân is: "Perhaps you recite behind your *Imâm*?" We replied, "Yes." He (the Prophet صلى الله عليه وسلم) said, "Do not do so except when it is *Sûrat Al-Fâtiha,* for the *Salât* (prayer) of the one who does not recite it, is not accepted."

وَالتِّرْمِذِيِّ وَابْنِ حِبَّانَ: «لَعَلَّكُمْ تَقْرَءُوْنَ خَلْفَ إِمَامِكُمْ؟» قُلْنَا نَعَمْ؛ قَالَ: «لاَ تَفْعَلُوا إِلاَّ بِفَاتِحَةِ الْكِتَابِ، فَإِنَّهُ لاَ صَلاَةَ لِمَنْ لَمْ يَقْرَأْ بِهَا.»

**219.** Narrated Anas رضى الله عنه: "The Prophet صلى الله عليه وسلم, Abû Bakr and 'Umar used to begin the *Salât* (prayer) with *Al-hamdu lillâhi Rabbil-'âlamin.*" [Agreed upon].

(٢١٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ وَأَبَا بَكْرٍ وَعُمَرَ - كَانُوا يَفْتَتِحُونَ الصَّلاَةَ بِـ«الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِيْنَ». مُتَّفَقٌ عَلَيْهِ.

And Muslim added: "They would not recite *Bismillâhir-Rahmânir-Rahim,* neither in the beginning of the recitation nor at the end[1] of it."

زَادَ مُسْلِمٌ: لاَ يَذْكُرُوْنَ «بِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيْمِ» فِي أَوَّلِ قِرَاءَةٍ وَلاَ فِي آخِرِهَا.

In another version of Ahmad, An-Nasâ'i and Ibn Khuzaima: "They never used to recite *Bismillahir-Rahmânir-Rahim* aloud."

وَفِيْ رِوَايَةٍ لِأَحْمَدَ وَالنَّسَائِيِّ وَابْنِ خُزَيْمَةَ: لاَ يَجْهَرُوْنَ بِبِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيْمِ.

And in another version of Ibn Khuzaima: "They used to recite *Bismillahir-Rahmânir-Rahim* silently."[2]

وَفِيْ أُخْرَى لاِبْنِ خُزَيْمَةَ: «كَانُوْا يُسِرُّوْنَ». وَعَلَى هَذَا يُحْمَلُ النَّفْيُ فِيْ رِوَايَةِ مُسْلِمٍ، خِلاَفاً لِمَنْ أَعَلَّهَا.

**220.** Narrated Nu'aim Mujmir[3] (رضى الله عنه): "I prayed behind Abû Huraira رضى الله عنه and he recited *Bismillahir-Rahmânir-Rahim*, and then recited *Umm-ul-Qur'ân* (*Al-Fâtiha*) and

(٢٢٠) وَعَنْ نُعَيْمٍ الْمُجْمِرِ قَالَ: صَلَّيْتُ وَرَاءَ أَبِيْ هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَقَرَأَ بِسْمِ اللهِ الرَّحْمٰنِ الرَّحِيْمِ، ثُمَّ قَرَأَ بِأُمِّ

[1] It means that they did not recite it aloud but did it silently as mentioned in the next *Hadith.*

[2] One can do either way, it is correct.

[3] He is Abû 'Abdullâh Nu'aim bin 'Abdullâh Al-Mujmir, manumitted slave of 'Umar bin Al-Khattab. He used to burn scents at the Prophet's Mosque on every Friday at mid-day, and was thus nicknamed Al-Mujmir. He was a *Tâbi'i* and was verified as reliable by Abû Hâtim, Ibn Ma'in, Ibn Sa'd and An-Nasâ'i.

الْقُرْآنِ، حَتَّى إِذَا بَلَغَ «وَلاَ الضَّالِّينَ» قَالَ: آمِينَ. وَيَقُولُ كُلَّمَا سَجَدَ، وَإِذَا قَامَ مِنَ الْجُلُوسِ: اَللَّهُ أَكْبَرُ، ثُمَّ يَقُولُ إِذَا سَلَّمَ: وَالَّذِي نَفْسِي بِيَدِهِ إِنِّي لَأَشْبَهُكُمْ صَلاَةً بِرَسُولِ اللهِ ﷺ. رَوَاهُ النَّسَائِيُّ وَابْنُ خُزَيْمَةَ.

when he reached *walad-dâllin,* he said *Amin*[1]; and then said *Allâhu Akbar,* when he prostrated and when he stood up from his sitting position. And when he uttered the *Taslim* (i.e. *As-Salâmu 'Alaikum*), he said, "I swear by the One in Whose Hand my soul is (Allâh), my *Salât* (prayer) resembles most that of Allâh's Messenger صلى الله عليه وسلم than that of anyone among you." [Reported by An-Nasâ'i and Ibn Khuzaima].

(٢٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا قَرَأْتُمُ الْفَاتِحَةَ فَاقْرَءُوا بِسْمِ اللهِ الرَّحْمَنِ الرَّحِيمِ، فَإِنَّهَا إِحْدَى آيَاتِهَا**». رَوَاهُ الدَّارَقُطْنِيُّ وَصَوَّبَ وَقْفَهُ.

**221.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whenever you recite *Sûrat Al-Fâtiha,* recite *Bismillahir-Rahmânir-Rahim,* for it is one of its *Ayât* (verses)." [Reported by Ad-Dâraqutni who verified it as *Mawqûf*].

(٢٢٢) وَعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا فَرَغَ مِنْ قِرَاءَةِ أُمِّ الْقُرْآنِ، رَفَعَ صَوْتَهُ وَقَالَ: آمِينَ. رَوَاهُ الدَّارَقُطْنِيُّ وَحَسَّنَهُ، وَالْحَاكِمُ وَصَحَّحَهُ. وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ مِنْ حَدِيثِ وَائِلِ ابْنِ حُجْرٍ نَحْوُهُ.

**222.** Narrated (Abû Huraira) رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم completed the recitation of *Sûrat Al-Fâtiha,* he raised his voice and said *Amin*[2]. [Reported by Ad-Dâraqutni who graded it *Hasan* (fair) and Al-Hâkim who graded it *Sahih* (sound)]. The versions of Abû Dâ'ud

---

[1] After the recitation of *Sûrat Al-Fâtiha* saying *Amîn* is *Sunna. Imâm* or follower, everyone should say *Amîn.* (*Amîn* means: O Allah accept this invocation).

[2] *Amîn* should be pronounced aloud or secretly, there is a difference of opinion on this issue. Hanafia say it secretly and Shafi'i and Ahl-Hadîth say it in a loud voice. Loud voice (جهر) means that second person could hear it. Saying of *Amîn* in a loud voice is supported by many other *Ahadîth*. The noble Prophet صلى الله عليه وسلم said *Amîn* in a loud voice and prolonged his voice. Tirmidhi graded this *Hadîth* as *Hasan* (fair) and Ad-Dâraqutni as *Sahih* (sound). Moulana Abdul-Hai Lucknowi stated that impartiality demands to accept that saying *Amîn* in a loud voice is more accurate. As regards the saying of *Amîn* in a low voice, Imâm Tirmidhi has narrated a *Hadîth* in which the noble Prophet صلى الله عليه وسلم pronounced *Amîn*, and kept his voice low. Some Hanafi argue on the basis of this *Hadîth* although Imâm Tirmidhi himself has challenged this *Hadîth* with four different point of views. However, everyone is free and responsible for his own conduct and deeds.

and At-Tirmidhi narrated by Wâ'il bin Hujr (رضي الله عنه) are also same as above.

**223.** Narrated 'Abdullâh bin Abi Aufa[1] رضي الله عنهما: A man came to the Prophet صلى الله عليه وسلم and said, "I cannot memorize anything from the Qur'ân, so teach me something which can be a substitute for me." He said, "Say *Subhân Allâh* (glory is to Allâh) *walhamdu lillâh* (and praise is to Allâh), *wa la ilâha illa-Allâh* (and there is no God but Allâh), *wallâhu akbar* (and Allâh is the Most Great), *wa la hawla wa la quwwata illâ billâh* (and there is no might and no strength but in Allâh)[2]" [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i; and Ibn Hibbân, Ad-Dâraqutni and Al-Hâkim graded it *Sahih* (sound)].

(٢٢٣) وَعَنْ عَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنِّي لَا أَسْتَطِيعُ أَنْ آخُذَ مِنَ الْقُرْآنِ شَيْئًا، فَعَلِّمْنِي مَا يُجْزِئُنِي مِنْهُ، فَقَالَ: «قُلْ: سُبْحَانَ اللهِ، وَالْحَمْدُ لِلَّهِ، وَلَا إِلَهَ إِلَّا اللَّهُ، وَاللَّهُ أَكْبَرُ، وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ الْعَلِيِّ الْعَظِيمِ» الْحَدِيثَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ وَالْحَاكِمُ.

**224.** Narrated Abû Qatâda رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم led us in prayer and recited in the first two *Rak'a* of the *Zuhr* and *'Asr* prayers *Surat Al-Fâtiha* and two (other) *Sûrah*. And he would sometimes recite loud enough for us to hear the

(٢٢٤) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي بِنَا فَيَقْرَأُ فِي الظُّهْرِ وَالْعَصْرِ فِي الرَّكْعَتَيْنِ الْأُولَيَيْنِ بِفَاتِحَةِ الْكِتَابِ وَسُورَتَيْنِ، وَيُسْمِعُنَا الْآيَةَ

[1] He was nicknamed Abû Muhammad or Abû Mu'âwiya and his father's name is 'Alqama bin Al-Hârith Al-Aslami. His father and him were both Companions of the Prophet صلى الله عليه وسلم. He witnessed Al-Hudaibiya, Khaibar and the latter battles. He settled at Kufa after the death of the Prophet and died there towards the end of 87 H. He became blind and was the last *Sahâbi* to die at Kufa.

[2] Some people argue on the basis of this *Hadîth* that the recitation of *Sûrat Al-Fâtiha* is not essential in the prayer, because the noble Prophet صلى الله عليه وسلم did not say that he has to learn *Al-Fâtiha*. This is to be remembered that there is a consideration for disabled in *Shari'at* (Divine law). Prohibition and commands do not change with such exceptions. If someone says that due to some unavoidable circumstances he cannot perform *Wudu* (ablution), he is told to perform *Tayammum* (purification with soil); it does not mean that ablution is not obligatory.

verses.[1] He would prolong the first *Rak'a*, and would recite in the last two *Rak'a Surat Al-Fâtiha* (only).[2] [Agreed upon].

أَحْيَانًا، وَيُطَوِّلُ الرَّكْعَةَ الْأُولَى، وَيَقْرَأُ فِي الْأُخْرَيَيْنِ بِفَاتِحَةِ الْكِتَابِ. مُتَّفَقٌ عَلَيْهِ.

**225.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: We used to estimate the length of the standing position of Allâh's Messenger صلى الله عليه وسلم in the *Zuhr* and *'Asr* prayers, and we estimated that he stood in the first two *Rak'a* of the *Zuhr* prayer as long as it takes to recite *Alif-Lâm-Mîm, Tanzil* (*Sûrat As-Sajdah*)[3] and in the last two *Rak'a*, half the time of that. And in the first two *Rak'a* of *'Asr*, he used to stand as long as the last two of the *Zuhr*. And the last two *Rak'a* of *'Asr* used to be of about half the time of the first two." [Reported by Muslim].

(٢٢٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نَحْزُرُ قِيَامَ رَسُولِ اللَّهِ ﷺ فِي الظُّهْرِ وَالْعَصْرِ، فَحَزَرْنَا قِيَامَهُ فِي الرَّكْعَتَيْنِ الْأُولَيَيْنِ مِنَ الظُّهْرِ قَدْرَ ﴿آلم تنزيل﴾ السجدة وفي الْأُخْرَيَيْنِ قدر النِّصْفِ مِنْ ذَلِكَ وَفِي الْأُولَيَيْنِ مِنَ الْعَصْرِ، عَلَى قَدْرِ الْأُخْرَيَيْنِ مِنَ الظُّهْرِ، وَالْأُخْرَيَيْنِ عَلَى النِّصْفِ مِنْ ذَلِكَ. رَوَاهُ مُسْلِمٌ.

**226.** Narrated Sulaimân bin Yasâr:[4] So-and-so used to prolong the first two *Rak'a* of the *Zuhr* prayer and shorten the *'Asr* prayer, and reciting the short *Sûrah* of *Mufassal*[5] at

(٢٢٦) وَعَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: كَانَ فُلَانٌ يُطِيلُ الْأُولَيَيْنِ مِنَ الظُّهْرِ وَيُخَفِّفُ الْعَصْرَ وَيَقْرَأُ فِي الْمَغْرِبِ بِقِصَارِ الْمُفَصَّلِ،

[1] This is unanimously agreed that the recitation of *Zuhr* and *'Asr* prayers is done silently (سرا — in a low voice).

[2] Apparently it seems from this *Hadîth* that the noble Prophet صلى الله عليه وسلم did not recite anything except *Al-Fâtiha* in the last two *Rak'at*, but the *Hadîth* of Abû Sa'id in *Sahih Muslim* reports that they guessed the length of the last *Rak'at* up to fifteen verses, but *Sûrat Al-Fâtiha* is of only seven verses. It seems that the Prophet صلى الله عليه وسلم sometimes recited some verses, and sometimes he did not. Therefore, in the last two *Rak'at*, recitation is *Sunna*.

[3] *Sûrat* No. 32.

[4] He was one of the seven *Fiqh* scholars and among the eminent *Tâbi'in*. He was reliable, pious, very learned and mastered many *Ahâdith*. He was nicknamed Abû Ayub and was the manumitted slave of Maimuna 'the Mother of the Believers'. He died in 107 H. at the age of 73 years.

[5] From *Sûrat Al-Hujurât* to the end, all *Sûrah* are called *Mufassal* (مفصل — detailed) because of the long span between two بسم الله الرحمن الرحيم. From *Al-Hujurât* to *Al-Burûj* are called *Tiwâl Mufassal* (طوال مفصل — long detailed). From *Al-Burûj* to *Al-Baiyinah* are called *Ausât Mufassal* (أوساط مفصل — middle detailed) and from *Al-Baiyinah* to the end are called *Qisâr*

*Maghrib* prayer, medium *Sûrah* at the *'Ishâ'* prayer, and the long ones at the *Fajr* prayer. Then Abû Huraira رضي الله عنه said, "I never prayed behind anyone whose prayer more closely resembles that of Allâh's Messenger صلى الله عليه وسلم than this person." [Reported by An-Nasâ'i with a sound *Isnâd*].

وَفِي الْعِشَاءِ بِوَسَطِهِ، وَفِي الصُّبْحِ بِطِوَالِهِ، فَقَالَ أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: مَا صَلَّيْتُ وَرَاءَ أَحَدٍ أَشْبَهَ صَلَاةً بِرَسُولِ اللهِ ﷺ مِنْ هَذَا. أَخْرَجَهُ النَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ.

**227.** Narrated Jûbair bin Mut'im رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم reciting *At-Tûr* (the Mountain — *Sûrat* # 52)[1] in the *Maghrib* (sunset) prayer. [Agreed upon].

(٢٢٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقْرَأُ فِي الْمَغْرِبِ بِالطُّورِ. مُتَّفَقٌ عَلَيْهِ.

**228.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to recite during the *Fajr* prayer of Friday *Alif-Lâm-Mîm, Tanzil...* (*As-Sajdah* — *Sûrat* # 32) and *Hal ata 'alal-Insani...*(*Al-Insân* — *Sûrat* # 76), which is also called *Sûrat Ad-Dahr*)[2] [Agreed upon]. The version of At-Tabarâni narrated by Ibn Mas'ûd has the addition "... he (the Prophet صلى الله عليه وسلم) did that permanently."[3]

(٢٢٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقْرَأُ فِي صَلَاةِ الْفَجْرِ يَوْمَ الْجُمُعَةِ (آلم تَنْزِيلُ) السَّجْدَةَ، «وَهَلْ أَتَى عَلَى الإِنْسَانِ». مُتَّفَقٌ عَلَيْهِ. وَلِلطَّبَرَانِيِّ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «يُدِيمُ ذَلِكَ».

---

*Mufassal* (قصار مفصل — short detailed). Recitation of *Tiwâl* in the *Fajr* (morning) prayers, *Ausât* in *'Isha'* (night) prayers and *Qisâr* in *Maghrib* (sunset) prayers is *Sunna*. *Zuhr* (noon) prayer is linked with *Fajr* (morning) prayer and *'Asr* (afternoon) prayer is linked with *'Isha'* (night) prayer. Sometimes it happens against it as is given in the next *Hadîth*.

[1] Some *Ahadîth* report that *Sûrat Al-A'râf*, *As-Sâffât* and *Ad-Dukhân* were also recited in *Maghrib* (sunset) prayers. It means that long *Sûrah* has also been recited in *Maghrib* (sunset) prayers, and *Mu'awwidhatain* (*Sûrat Al-Falaq* and *An-Nâs*) were recited in the *Fajr* (morning) prayers, but usual practice was as has been given above.

[2] The creation of Adam, mystries of creation and the Day of Gathering are mentioned in these chapters; and the Resurrection will happen on Friday, due to this reason and relevancy, the noble Prophet صلى الله عليه وسلم used to recite these chapters on Friday, so that people may think that something is going to happen today and be afraid of Allâh.

[3] It means that these *Sûrah* are to be recited on every Friday in *Fajr* (morning) prayer. Any particular *Sûrah* which the noble Prophet صلى الله عليه وسلم recited in any particular prayer with fixation and consistency, it is preferable to recite them in the same manner for that specific prayer as it is *Sunna*. Recitation of other *Sûrah* is also permissible.

**229.** Narrated Hudhaifa رضي الله عنه: I prayed with the Prophet صلى الله عليه وسلم and (noticed that) whenever he came to a verse which spoke of mercy, he stopped and made supplication, and whenever he came to a verse which spoke of punishment, he stopped and saught refuge in Allâh against it." [Reported by *Al-Khamsa*, and Imâm At-Tirmidhi graded it *Hasan*].

(٢٢٩) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ فَمَا مَرَّتْ بِهِ آيَةُ رَحْمَةٍ إِلَّا وَقَفَ عِنْدَهَا يَسْأَلُ، وَلَا آيَةُ عَذَابٍ إِلَّا تَعَوَّذَ مِنْهَا. أَخْرَجَهُ الْخَمْسَةُ وَحَسَّنَهُ التِّرْمِذِيُّ.

**230.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "I have been forbidden to recite the Qur'ân[1] while bowing or prostrating; so while in the bowing (position) glorify the *Rabb* (Lord), and while in the prostrating (position) be earnest in supplication, for it is fitting that your supplications may be answered." [Reported by Muslim].

(٢٣٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«أَلَا وَإِنِّي نُهِيتُ أَنْ أَقْرَأَ الْقُرْآنَ رَاكِعاً أَوْ سَاجِداً، فَأَمَّا الرُّكُوعُ فَعَظِّمُوا فِيهِ الرَّبَّ، وَأَمَّا السُّجُودُ فَاجْتَهِدُوا فِي الدُّعَاءِ، فَقَمِنٌ أَنْ يُسْتَجَابَ لَكُمْ»**. رَوَاهُ مُسْلِمٌ.

**231.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to say while bowing and prostrating *Subhânaka Allâhumma wa bihamdika, Allâhumma ighfir li* (Glory is to You, O Allâh, Our *Rabb*, and praise is to You, O Allâh, forgive me)." [Agreed upon].

(٢٣١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ فِي رُكُوعِهِ وَسُجُودِهِ: **«سُبْحَانَكَ اللَّهُمَّ رَبَّنَا وَبِحَمْدِكَ، اللَّهُمَّ اغْفِرْ لِي»**. مُتَّفَقٌ عَلَيْهِ.

**232.** Narrated Abû Huraira رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم got up to pray, he would say the *Takbîr*[2] when standing up, then

(٢٣٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ إِذَا قَامَ إِلَى الصَّلَاةِ يُكَبِّرُ حِينَ يَقُومُ، ثُمَّ يُكَبِّرُ حِينَ يَرْكَعُ،

[1] In prostration and bowing, recitation of the noble Qur'ân is illegal and odious. Parts of prayer are various and every part has its own look and manner, and for every part has been stated special supplications and invocation. In bowing سبحان ربي العظيم and in prostration سبحان ربي الأعلى should be repeated. In prostration invocation is also permissible.

[2] First *Takbîr* (saying *Allâhu Akbar*) is called *Takbir At-Tahrimah* (forbidding other things than prayer) or *Takbir Al-Iftitâh* (opening) or *Takbir Uula* (initial), and the rest *Takbir* are called *Takbirât Intiqâl*, meaning the change in posture during prayer, as from standing to bowing and from bowing to prostration, etc. First *Takbir* is a strict obligation and the rest are *Sunna*, and according to some are *Wajib* (compulsory).

would say the *Takbîr* when bowing, then he would say *Sami'Allâhu liman hamidah* (Allâh listens to him who praises Him) when rising up from the bowing position, then he would say while standing *Rabbana wa lakal-hamd* (our *Rabb*, the praise is Yours), then he would say the *Takbîr* when going down for prostration, then when raising his head up, then when he prostrated again, then when raising his head up. He would then do that throughout the whole *Salât* (prayer) and he would say the *Takbîr* when he got up at the end of two *Rak'a* from the sitting position." [Agreed upon].

ثُمَّ يَقُولُ: سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ، حِيْنَ يَرْفَعُ صُلْبَهُ مِنَ الرُّكُوعِ، ثُمَّ يَقُولُ وَهُوَ قَائِمٌ. رَبَّنَا وَلَكَ الْحَمْدُ، ثُمَّ يُكَبِّرُ حِيْنَ يَهْوِي سَاجِداً، ثُمَّ يُكَبِّرُ حِيْنَ يَرْفَعُ رَأْسَهُ، ثُمَّ يُكَبِّرُ حِيْنَ يَسْجُدُ. ثُمَّ يُكَبِّرُ حِيْنَ يَرْفَعُ، ثُمَّ يَفْعَلُ ذَلِكَ فِي الصَّلَاةِ كُلِّهَا، وَيُكَبِّرُ حِيْنَ يَقُوْمُ مِنَ الثِّنْتَيْنِ بَعْدَ الْجُلُوسِ. مُتَّفَقٌ عَلَيْهِ.

**233.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to say while raising his head after bowing: "*Allâhumma Rabbana lakal-hamdu mil'as-samawâti wal-ardi, wa mil'a ma shi'ta min shai'in ba'du, ahlaththana'i wal-majdi, ahaqqu mâ qâl-al'abdu, wa kullunâ laka 'abdun. Allâhumma la mâni'a limâ a'taita, wa lâ mu'tiya limâ man'ata, wa lâ yanfa'u dhal-jaddi minka-ljaddu* (O Allâh, our *Rabb* (Lord), to You is praise in all the heavens and all the earth, and all that pleases You to create afterwards, O You, Who are worthy of praise and glory, most worthy of what a slave says, and we are all Your slaves, no one can withhold what You give, or give what You withhold, and riches[1]

(٢٣٣) وَعَنْ أَبِيْ سَعِيْدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ قَالَ: «اللَّهُمَّ رَبَّنَا لَكَ الْحَمْدُ مِلْءَ السَّمواتِ وَالْأَرْضِ، وَمِلْءَ مَا شِئْتَ مِنْ شَيْءٍ بَعْدُ، أَهْلَ الثَّنَاءِ وَالْمَجْدِ، أَحَقُّ مَا قَالَ الْعَبْدُ - وَكُلُّنَا لَكَ عَبْدٌ - اللَّهُمَّ لَا مَانِعَ لِمَا أَعْطَيْتَ، وَلَا مُعْطِيَ لِمَا مَنَعْتَ، وَلَا يَنْفَعُ ذَا الْجَدِّ مِنْكَ الْجَدُّ». رَوَاهُ مُسْلِمٌ.

[1] The word *Jadd* جد, used in Arabic, has two meanings: first, grandfather and ancestors and secondly, glory and respect. Both meanings are correct in this context because wealth, nobility of birth and dignity has no value before Allâh, only good deeds are a meter to escape from punishment. The noble Prophet صلى الله عليه وسلم told his daughter Fatima رضي الله عنها to do good deeds to save herself from punishment, and should not depend on her father or gentility. Salvation depends only on good deeds. If the Prophet صلى الله عليه وسلم has intimated his

cannot avail a wealthy person against You)."[1] [Reported by Muslim].

(٢٣٤) وَعَن ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: أُمِرْتُ أَنْ أَسْجُدَ عَلَى سَبْعَةِ أَعْظُمٍ: عَلَى الجَبْهَةِ – وَأَشَارَ بِيَدِهِ إِلَى أَنْفِهِ – وَالْيَدَيْنِ، وَالرُّكْبَتَيْنِ وَأَطْرَافِ الْقَدَمَيْنِ». مُتَّفَقٌ عَلَيْهِ.

**234.** Narrated Ibn 'Abbâs رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "I have been commanded to prostrate on seven bones; on the forehead - and he pointed at his nose[2], the hands (the palms), the knees and the toes of the feet." [Agreed upon].

(٢٣٥) وَعَن ابْنِ بُحَيْنَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا صَلَّى وَسَجَدَ، فَرَّجَ بَيْنَ يَدَيْهِ حَتَّى يبدو بَيَاضُ إِبطَيْهِ. مُتَّفَقٌ عَلَيْهِ.

**235.** Narrated Ibn Buhaina[3] رضى الله عنه: When the Prophet صلى الله عليه وسلم prostrated while praying, he used to spread out his arms so that the whiteness of his armpits would be visible. [Agreed upon].

(٢٣٦) وَعَن الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا سَجَدْتَ فَضَعْ كَفَّيْكَ، وَارْفَعْ مِرْفَقَيْكَ». رَوَاهُ مُسْلِمٌ.

**236.** Narrated Al-Barâ' bin 'Azib[4] رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When you prostrate, place the palms of your hands on the ground and raise your elbows." [Reported by Muslim].

(٢٣٧) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ

**237.** Narrated Wâ'il bin Hujr رضى الله عنه:

own daughter in such words, then who else can be proud of his nobility.

[1] This supplication of the noble Prophet صلى الله عليه وسلم is an ample proof to refute the assumption of those who just get straight in *Qauma* (standing up in prayer after making bow) and consider that the delay up to three *Tasbih* (saying *Subhan Allâh*) will make compensatory prostration compulsory. When it is proved from the Prophet صلى الله عليه وسلم then a believer should not go after one's opinion.

[2] The *Hadîth* makes it clear that nose and forehead, both are regarded as one organ. If these are counted separately, the number of organs will become eight.

[3] He is Abû Muhammad 'Abdullâh bin Mâlik bin Al-Qishb Al-Azdi and Buhaina is the name of his mother. He became a Muslim long ago and was a hermit, virtuous and used to fast throughout. He died at the bottom of Rim valley, three miles from Al-Madîna, between 54 H. and 58 H.

[4] He is Abû 'Amâra Al-Barâ' bin 'Azib bin Al-Hârith bin 'Adi Al-Ansâri Al-Ausi who was a *Sahâbi* and son of a *Sahâbi*. He was left out at Badr due to young age and his first participation was at Uhud or Al-Khandaq. He conquered Ar-Ray and took part in the battles of Al-Jamal, Siffin and Naharwân with 'Ali. He died at Kûfa in 72 H.

Whenever the Prophet صلى الله عليه وسلم bowed, he would spread out his fingers and when he prostrated he would bring his fingers together. [Reported by Al-Hâkim].

اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَكَعَ فَرَّجَ بَيْنَ أَصَابِعِهِ، وَإِذَا سَجَدَ ضَمَّ أَصَابِعَهُ. رَوَاهُ الْحَاكِمُ.

**238.** Narrated 'Aisha رضي الله عنها: I saw Allâh's Messenger صلى الله عليه وسلم praying while he sat cross-legged[1]. [Reported by An-Nasâ'i, and Ibn Khuzaima graded it *Sahih* (sound)].

(٢٣٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي مُتَرَبِّعاً. رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**239.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم used to say between the two prostrations: "*Allâhumma ighfir li warhamni, wahdini, wa 'âfini warzuqni* (O Allâh, forgive me, have mercy on me, guide me, heal me, and provide sustenance for me)." [Reported by *Al-Arba'a* except An-Nasâ'i, and this is the version of Abû Dâ'ud, and Al-Hâkim graded it *Sahih* (sound)].

(٢٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَقُولُ بَيْنَ السَّجْدَتَيْنِ: «اللَّهُمَّ اغْفِرْ لِي، وَارْحَمْنِي، وَاهْدِنِي، وَعَافِنِي، وَارْزُقْنِي». رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ، وَاللَّفْظُ لِأَبِي دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**240.** Narrated Mâlik bin Al-Huwairith رضي الله عنه: He saw the Prophet صلى الله عليه وسلم praying and when he had prayed an odd number of *Rak'a*, he did not stand up till he had sat down properly.[2] [Reported by Al-Bukhâri].

(٢٤٠) وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ رَأَى النَّبِيَّ ﷺ يُصَلِّي، فَإِذَا كَانَ فِي وِتْرٍ مِنْ صَلاَتِهِ لَمْ يَنْهَضْ حَتَّى يَسْتَوِيَ قَاعِداً. رواه البخاري.

**241.** Narrated Anas bin Mâlik رضي الله عنه: The Prophet صلى الله عليه وسلم recited *Qunût* (supplication in the prayer) for one month after (rising up from the) bowing (position), invoking curse on

(٢٤١) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَنَتَ شَهْراً بَعْدَ الرُّكُوعِ، يَدْعُو عَلَى أَحياءٍ من أَحْيَاءِ الْعَرَبِ،

[1] This was due to a factual excuse concerning disability as he had fallen down from the horse and suffered dislocation of joint in his leg.

[2] It means in the first and third *Rak'a*, and this is known as *Jalsat-Al-Istirâhat* (resting posture). According to a narration, the Prophet صلى الله عليه وسلم used to sit in this posture for such a long time that people began to think it is due to his forgetfulness. It was not because of his old age as he never ever lightened any of his obligations due to his senility.

some Arab tribes[1] then gave it up. [Agreed upon].

ثُمَّ تَرَكَهُ. مُتَّفَقٌ عَلَيْهِ.

In the version of Ahmad and Ad-Dâraqutni, he added that he (صلى الله عليه وسلم) recited *Qunût* (supplication in prayer) always in the *Fajr* prayer till he died.

وِلأَحْمَدَ وَالدَّارَقُطْنِيِّ نَحْوُهُ مِنْ وَجْهٍ آخَرَ، وَزَادَ: فَأَمَّا فِي الصُّبْحِ فَلَمْ يَزَلْ يَقْنُتُ حَتَّى فَارَقَ الدُّنْيَا.

**242.** Narrated (Anas) رضي الله عنه: The Prophet صلى الله عليه وسلم never used to supplicate[2] after (rising up from the) bowing position unless he invoked a blessing on some people, or a curse on some other people. [Ibn Khuzaima graded it *Sahih* (sound)].

(٢٤٢) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ لَا يَقْنُتُ إِلَّا إِذَا دَعَا لِقَوْمٍ، أَوْ عَلَى قَوْمٍ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**243.** Narrated Sa'd[3] bin Târiq[4] Al-Ashja'i رضي الله عنه: I said to my father, "You have prayed behind Allâh's Messenger صلى الله عليه وسلم, Abû Bakr, 'Umar, Uthmân, and behind 'Ali. Did they supplicate while standing in the *Fajr* prayer?" He replied, "O my son,

(٢٤٣) وَعَنْ سَعْدِ بْنِ طَارِقٍ الأَشْجَعِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ لِأَبِي: يَا أَبَتِ! إِنَّكَ قَدْ صَلَّيْتَ خَلْفَ رَسُولِ اللهِ ﷺ وَأَبِي بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَعَلِيٍّ، أَفَكَانُوا يَقْنُتُونَ فِي الْفَجْرِ؟ قَالَ: أَيْ بُنَيَّ

[1] These tribes were Ri'l (رعل), Dhakwân (ذكوان), and Usaiya (عصية). They entered a covenant with the Prophet صلى الله عليه وسلم but betrayed and killed seventy preachers of Islâm, after treacherously inviting them. This incident is known as *Bi'r Ma'una*.

[2] Apparently, there seems to be a confliction among these *Ahadîth*, the first one states that the Prophet صلى الله عليه وسلم always recited *Qunût* in the morning prayer; whereas according to the second *Hadîth*, he recited the same whenever he prayed either for the welfare of a nation, or accursing them for their destruction. The third *Hadîth* states that its recitation in the morning prayer is an innovation (see the next *Hadîth* No. 243). Hence it becomes clear to us that the Prophet صلى الله عليه وسلم and his caliphs used to recite *Qunût* in their morning prayers. As to the occurrence of the word 'innovation' in the *Hadîth*, it implies that it was not really taken to be imperative in those days like what the people continually practise during present times. This is only like clinging to the innovation which in turn means that one should not recite *Qunut* in the morning prayers unless there is a compelling need for it. In the first *Hadîth* the words "he (صلى الله عليه وسلم) recited *Qunût* always in the *Fajr* prayer," denote that its recitation was not ritually nullified and whenever he stood in need of the same, he kept reciting it.

[3] He is Abû Mâlik Sa'd bin Târiq bin Ashyam bin Mas'ûd Al-Ashja'i Al-Kufi. He was among the reliable *Tâbi'in*, he died around 140 H.

[4] Târiq is a *Sahâbi* who narrated few *Ahâdîth* and only fourteen *Ahâdîth* were narrated from him, all by his aforementioned son Sa'd only. He settled at Kûfa.

مُحْدَثٌ. رَوَاهُ الْخَمْسَةُ إِلاَّ أَبَا دَاوُدَ.

it is an innovation." [Reported by *Al-Khamsa*, except Abu Dâ'ud].

(٢٤٤) وَعَنْ الْحَسَنِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: عَلَّمَنِي رَسُولُ اللهِ ﷺ كَلِمَاتٍ أَقُولُهُنَّ فِي قُنُوتِ الْوِتْرِ: «اللَّهُمَّ اهْدِنِي فِيمَنْ هَدَيْتَ، وَعَافِنِي فِيمَنْ عَافَيْتَ، وَتَوَلَّنِي فِيمَنْ تَوَلَّيْتَ، وَبَارِكْ لِيَ فِيمَا أَعْطَيْتَ، وَقِنِي شَرَّ مَا قَضَيْتَ، فَإِنَّكَ تَقْضِي وَلاَ يُقْضَى عَلَيْكَ، إِنَّهُ لاَ يَذِلُّ مَنْ وَالَيْتَ، تَبَارَكْتَ رَبَّنَا وَتَعَالَيْتَ». رَوَاهُ الْخَمْسَةُ، وَزَادَ الطَّبَرَانِيُّ وَالْبَيْهَقِيُّ: «وَلاَ يَعِزُّ مَنْ عَادَيْتَ». زَادَ النَّسَائِيُّ مِنْ وَجْهٍ آخَرَ فِي آخِرِهِ: «وَصَلَّى اللَّهُ عَلَى النَّبِيِّ».

**244.** Narrated Al-Hasan bin 'Ali[1] رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم, taught me some words to say when standing in supplication during the *Witr*, they were: "O Allâh, guide me among those You have guided, grant me security among those You have granted security, take me into Your charge among those You have taken into Your charge, bless me in what You have given, guard me from the evil of what You have decreed, for You decree and nothing is decreed for You. He whom You befriend is not humbled. Blessed and Exalted are You, our *Rabb* (Lord)." [Reported by *Al-Khamsa*]. At-Tabarâni and Al-Baihaqi added: "He whom You hold as enemy is not honoured." In a version reported by An-Nasâ'i, he added at its end: "May Allâh the Most High send His blessings on the Prophet."[2]

وَلِلْبَيْهَقِي عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُعَلِّمُنَا دُعَاءً نَدْعُو بِهِ فِي الْقُنُوتِ مِنْ صَلاةِ الصُّبْحِ.

Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم used to teach us a supplication to say in the morning prayer when we stand in

---

[1] He was the beloved grandson of Allâh's Messenger صلى الله عليه وسلم and one of the youth of Paradise. He was born in Ramadân 3H. and was sworn as the *Khalifa* after the killing of his father 'Ali, but handed over the caliphate to Mu'âwiya in Jamâda Al-Ula 41 H. after seven months for hating to spill the Muslim blood. He died in 49 H. and was buried at Al-Baqi'.

[2] It may be clarified that some of the people recite *Qunût* with their hands open, before going into the state of *Ruku'* (bowing), but the right procedure is that one should recite *Qunût* with raised hands after standing upright from the state of *Ruku'*. Some people always recite *Qunût* in their *Witr* (odd prayer), whereas some recite it only in the last fortnight of Ramadân. Some consider *Qunût* as *Wâjib* (compulsory), whereas some regard it *Sunna* and *Witr* prayers as *Wâjib*; and some take them to be as *Sunna*, but the fact is that they are *Sunna*.

*Qunût* supplication. [Al-Baihaqi reported it and there is a weakness in its chain of narrators].

وَفِي سَنَدِهِ ضَعْفٌ.

**245.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you prostrates, he should not kneel in the manner of a camel, but should put down his hands before his knees." [Reported by *Ath-Thalâtha*].

(٢٤٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«إِذَا سَجَدَ أَحَدُكُمْ فَلَا يَبْرُكْ كَمَا يَبْرُكُ الْبَعِيرُ، وَلْيَضَعْ يَدَيْهِ قَبْلَ رُكْبَتَيْهِ»**. أَخْرَجَهُ الثَّلَاثَةُ.

This *Hadîth* is more sound[1] than the *Hadîth* narrated by Wâ'il bin Hujr رضي الله عنه: I saw the Prophet صلى الله عليه وسلم placing his knees (on the ground) before his hands when he prostrated. [Reported by *Al-Arba'a*]. And in the first *Hadîth,* there is an evidence from the *Hadîth* of Ibn 'Umar رضي الله عنهما (coming next), which is authenticated by Ibn Khuzaima while Al-Bukhâri mentioned it as a *Mu'allaq Mawqûf* (suspended and untraceable) *Hadîth*.

وَهُوَ أَقْوَى مِنْ حَدِيثِ وَائِلِ ابْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «رَأَيْتُ النَّبِيَّ ﷺ إِذَا سَجَدَ وَضَعَ رُكْبَتَيْهِ قَبْلَ يَدَيْهِ». أَخْرَجَهُ الْأَرْبَعَةُ. فَإِنَّ لِلْأَوَّلِ شَاهِداً مِنْ حَدِيثِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ. وَذَكَرَهُ الْبُخَارِيُّ مُعَلَّقاً مَوْقُوفاً.

**246.** Narrated Ibn 'Umâr رضي الله عنهما: When Allâh's Messenger صلى الله عليه وسلم sat for *At-Tashahhud,* he placed his left hand on his left knee, and his right hand on his right knee, folded its fingers[2] and pointed with his right index finger. [Reported by Muslim].

(٢٤٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ كَانَ إِذَا قَعَدَ لِلتَّشَهُّدِ وَضَعَ يَدَهُ الْيُسْرَى عَلَى رُكْبَتِهِ الْيُسْرَى، وَالْيُمْنَى عَلَى الْيُمْنَى، وَعَقَدَ ثَلَاثاً وَخَمْسِينَ، وَأَشَارَ بِإِصْبَعِهِ السَّبَّابَةِ. رَوَاهُ مُسْلِمٌ.

A version by Muslim has: 'and he clenched all his (right hand) fingers and pointed with the index finger.'

وَفِي رِوَايَةٍ لَهُ: وَقَبَضَ أَصَابِعَهُ كُلَّهَا، وَأَشَارَ بِالَّتِي تَلِي الْإِبْهَامَ.

---

[1] The book *Fath-ul-Uloom* states that both of the *Ahadîth* are strong ones and are acted upon on an equal footing. However, the action of the *Muhaddithîn* (narrators of the *Ahadîth*) and Hanâbela is based on the *Hadîth* narrated by Abu Huraira. The action of Shâfi'iya and Hanafiya and (according to a narration) Mâlikiya is based on the reference of Wâ'il.

[2] It should be done in such a manner that one should keep thumb clung to the bottom of his forefinger while keeping the rest of the three fingers closed. Then he should raise his forefinger while reciting *Lâ ilâha* and lower the same down while reciting *ill-Allâh*.

**247.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم looked at us and said, "When one of you is (sitting) in prayer, he should say, 'All services reported by words, by prayers (acts of worship), and all good things are due to Allâh, peace be upon you, O Prophet,[1] and Allâh's mercy and blessings, peace be upon us and upon Allâh's upright slaves, I testify that there is no God but Allâh and I testify that Muhammad is His slave and Messenger.' Then he may choose any supplication[2] which pleases him most and recite it." [Agreed upon, and this version is of Bukhâri].

(٢٤٧) وَعَنْ عَبْدِاللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: الْتَفَتَ إِلَيْنَا رَسُولُ اللهِ ﷺ، فَقَالَ: «إِذَا صَلَّى أَحَدُكُمْ فَلْيَقُلْ: «التَّحِيَّاتُ لِلهِ وَالصَّلَوَاتُ وَالطَّيِّبَاتُ، السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ! وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللهِ الصَّالِحِينَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ» ثُمَّ لِيَتَخَيَّرْ مِنَ الدُّعَاءِ أَعْجَبَهُ إِلَيْهِ، فَيَدْعُو». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

In the version of An-Nasâ'i: 'we used to say before *At-Tashahhud*[3] become obligatory on us'; and in the version of Ahmad: 'The Prophet صلى الله عليه وسلم taught him *At-Tashahhud* and ordered him to teach it to the people.'

وَلِلنَّسَائِيِّ: «كُنَّا نَقُولُ قَبْلَ أَنْ يُفْرَضَ عَلَيْنَا التَّشَهُّدُ». وَلِأَحْمَدَ: أَنَّ النَّبِيَّ ﷺ عَلَّمَهُ التَّشَهُّدَ، وَأَمَرَهُ أَنْ يُعَلِّمَهُ النَّاسَ.

Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم used to teach us *At-Tashahhud*: "All services reported by words, acts of worship and all good things are due to Allâh ..." till the end.

وَلِمُسْلِمٍ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُعَلِّمُنَا التَّشَهُّدَ: «التَّحِيَّاتُ الْمُبَارَكَاتُ الصَّلَوَاتُ الطَّيِّبَاتُ لِلهِ» إِلَى آخِرِهِ.

[1] At first, the Prophet صلى الله عليه وسلم taught us to send *Salât* (greetings, blessings) on him because his right on his *Ummah* (nation) is more than anyone, more than the believer himself.

[2] This *Hadîth* explains that invocation for something during the prayer is keeping in line with the tradition of the Prophet صلى الله عليه وسلم. This also clarifies that there is no specification as to what one can ask for during the prayer. One can ask for anything he likes whether it concerns this world or the Hereafter.

[3] What the people used to recite before *At-Tashahhud* became obligatory, has not been mentioned by the narrator, but according to some other *Ahadîth* they used to say: "Blessings of Allâh be upon Gabriel and Michael." The Prophet صلى الله عليه وسلم instructed people to refrain from saying this and then taught them *At-Tashahhud*.

**248.** Narrated Fadâla bin 'Ubaid[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم heard a man supplicating during his prayer. He did not praise Allâh, nor did he invoke blessings on the Prophet صلى الله عليه وسلم. He (صلى الله عليه وسلم) said, "He made haste." He then called him and said, "When any of you prays, he should begin with the glorification of his *Rabb* (Lord) and praise Him; he should then invoke blessings on the Prophet (صلى الله عليه وسلم); thereafter he should supplicate Allâh for anything he wishes." [Ahmad and *Ath-Thalâtha* reported it; At-Tirmidhi, Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(٢٤٨) وَعَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعَ رَسُولُ اللَّهِ ﷺ رَجُلاً يَدْعُو فِي صَلَاتِهِ، وَلَمْ يَحْمَدِ اللَّهَ، وَلَمْ يُصَلِّ عَلَى النَّبِيِّ ﷺ، فَقَالَ: **عَجِلَ هٰذَا**، ثُمَّ دَعَاهُ، فَقَالَ: **إِذَا صَلَّى أَحَدُكُمْ فَلْيَبْدَأْ بِتَحْمِيدِ رَبِّهِ وَالثَّنَاءِ عَلَيْهِ، ثُمَّ يُصَلِّيْ عَلَى النَّبِيِّ ﷺ، ثُمَّ يَدْعُوْ بِمَا شَاءَ**. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**249.** Narrated Abû Mas'ûd Al-Ansâri[2] رضي الله عنه: Bashir bin Sa'd[3] said, "Allâh has commanded us to invoke blessings on you, O Messenger of Allâh! But how should we bless you?" Allâh's Messenger صلى الله عليه وسلم kept quiet and said, "Say:[4] 'O Allâh, bless Muhammad and the members of his family as You have blessed the members of Ibrâhim's

(٢٤٩) وَعَنْ أَبِيْ مَسْعُودٍ الْأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ بَشِيرُ بْنُ سَعْدٍ: يَا رَسُولَ اللَّهِ! أَمَرَنَا اللَّهُ أَنْ نُصَلِّيَ عَلَيْكَ، فَكَيْفَ نُصَلِّي عَلَيْكَ؟ فَسَكَتَ؟ ثُمَّ قَالَ: **«قُولُوا: اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ، وَبَارِكْ**

---

[1] Fadâla bin 'Ubaid bin Nâfidh bin Qais is nicknamed Abû Muhammad Al-Ansâri Al-Awsi. He first fought in Uhud and the rest of the latter battles. He took *Bai'at-ur-Ridwân*. He went to Shâm and settled at Damascus and became its *Qâdi* appointed by Mu'âwiya when he was going to the battle of *As-Siffin*. He died in the year 56 H.

[2] He is 'Uqba bin 'Amr bin Tha'laba Al-Ansâri Al-Badri who was one of the eminent *Sahâba*. He took part in the second *'Aqaba* while young. He settled in Kufa and died there or in Al-Madina after the forties of *Al-Hijra*.

[3] He is Abû An-Nu'mân Bashir bin Sa'd bin Tha'laba bin Al-Jullâs or Al-Khallâs Al-Ansâri Al-Khazraji. He is a *Badri* (fought at Al-Badr) and an *'Aqabi* (attended the *'Aqaba* agreement). He also attended the battles of Uhud, Al-Khandaq, and the rest of the other important battles. He was killed at 'Ein At-Tamr in the year 13H.

[4] The words of the *Salât* (sending peace and blessing of Allâh on the Prophet صلى الله عليه وسلم) are mentioned differently in different *Ahadîth*. There is a word more in a *Hadîth* while there is a less in another one.

family. Grant favours to Muhammad and the members of his family as You have granted favours to the members of the family of Ibrâhim. In the worlds You are indeed Praiseworthy and Glorious.' And the *Taslim* is as you know."[1] [Reported by Muslim]. Ibn Khuzaima added to it: "How should we invoke blessings on you, whenever we invoke blessing on you in our prayers?"

عَلَى مُحَمَّدٍ، وَعَلَى آلِ مُحَمَّدٍ، كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي الْعَالَمِينَ، إِنَّكَ حَمِيدٌ مَجِيدٌ. وَالسَّلَامُ كَمَا عَلِمْتُمْ». رَوَاهُ مُسْلِمٌ، وَزَادَ ابْنُ خُزَيْمَةَ فِيهِ: فَكَيْفَ نُصَلِّي عَلَيْكَ إِذَا نَحْنُ صَلَّيْنَا عَلَيْكَ فِي صَلَاتِنَا؟.

**250.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you finishes the last *Tashahhud*, he should seek refuge in Allâh from four things by saying: 'O Allâh I seek refuge in You against the punishment of *Jahannam* (Hell-fire), the punishment of the grave,[2] the trial of life and death and the evil of *Masih Ad-Dajjâl*[3] (Antichrist).'" [Agreed upon]. In the other version of Muslim: "when any of you finishes the last *Tashahhud*.[4]"

(٢٥٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا تَشَهَّدَ أَحَدُكُمْ فَلْيَسْتَعِذْ بِاللَّهِ مِنْ أَرْبَعٍ، يَقُولُ: اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ عَذَابِ جَهَنَّمَ، وَمِنْ عَذَابِ الْقَبْرِ، وَمِنْ فِتْنَةِ الْمَحْيَا وَالْمَمَاتِ، وَمِنْ شَرِّ فِتْنَةِ الْمَسِيحِ الدَّجَّالِ». مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِمُسْلِمٍ: إِذَا فَرَغَ أَحَدُكُمْ مِنَ التَّشَهُّدِ الْأَخِيرِ.

[1] This clarifies that *Salât* (peace and blessings of Allâh on the Prophet صلى الله عليه وسلم) should be recited after *At-Tashahhud* in the prayers and that invocation should be made in the last *Tashahhud* only. We are further informed that the recitation of *Salât* on the noble Prophet صلى الله عليه وسلم during prayers is *Wâjib* (compulsory).

[2] This *Hadith* tells us that the dead person faces the torment in the grave. Similarly a true believer is all at ease there. This substance is proved by several *Ahadith*.

[3] *Al-Masih Ad-Dajjâl* (Antichrist) will be a disbeliever appearing prior to the Doomsday to test the Faith of the believers. The faithful persons will remain adhered to their Faith steadfastly despite extreme adversities, whereas the people having a shaky and weak Belief, disbelievers and hypocrites will go into his command. The Antichrist will be known as Messiah. Prophet Jesus is also called Messiah. Although the pronunciation of the two is the same but the meaning purported therewith are different. Prophet Jesus is known as Messiah because the sick people got cured if he touched them. The meaning of Messiah is touching. The Antichrist will be known as Messiah because one of his eyes will be a distorted one. Hence the expression *Mamsuhul-Ain* (the one whose eyes has been touched or tampered with and thus distorted) applies on him.

[4] In some of the *Ahadith*, the words من المغرم والمأثم (from the debts and the sinner) are also included. It is reported in Bukhâri that the Prophet صلى الله عليه وسلم was asked as to why does he

(٢٥١) وَعَنْ أَبِي بَكْرٍ الصِّدِّيقِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ قَالَ لِرَسُولِ اللهِ ﷺ: عَلِّمْنِي دُعَاءً أَدْعُو بِهِ فِي صَلَاتِي! قَالَ: «قُلْ: اللَّهُمَّ إِنِّي ظَلَمْتُ نَفْسِي ظُلْماً كَثِيراً، وَلَا يَغْفِرُ الذُّنُوبَ إِلَّا أَنْتَ، فَاغْفِرْ لِي مَغْفِرَةً مِنْ عِنْدِكَ، وَارْحَمْنِي، إِنَّكَ أَنْتَ الْغَفُورُ الرَّحِيمُ». مُتَّفَقٌ عَلَيْهِ.

**251.** Narrated Abû Bakr As-Siddiq[1] رضي الله عنه: He said to Allâh's Messenger صلى الله عليه وسلم, "Teach me a supplication to use in my prayer." He (صلى الله عليه وسلم) said, "Say: O Allâh, I have greatly wronged myself, and You alone can forgive sins, so grant me forgiveness from You and have mercy on me, You are the Forgiving and the Merciful One."[2] [Agreed upon].

(٢٥٢) وَعَنْ وَائِلِ بْنِ حُجْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّيْتُ مَعَ النَّبِيِّ ﷺ، فَكَانَ يُسَلِّمُ عَنْ يَمِينِهِ: السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ، وَعَنْ شِمَالِهِ: السَّلَامُ عَلَيْكُمْ وَرَحْمَةُ اللهِ وَبَرَكَاتُهُ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ صَحِيحٍ.

**252.** Narrated Wâ'il bin Hujr رضي الله عنه: I prayed with the Prophet صلى الله عليه وسلم and he would give the *Taslim* (salutation) to his right side[3] (saying), "Peace be upon you and the mercy and blessings of Allâh"; and to his left side (saying), "Peace be upon you and the mercy and blessings of Allâh." [Reported by Abû Dâ'ud, with a *Sahih* chain].

(٢٥٣) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَقُولُ فِي دُبُرِ كُلِّ صَلَاةٍ مَكْتُوبَةٍ: «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ،

**253.** Narrated Al-Mughira bin Shu'ba رضي الله عنه: The Prophet صلى الله عليه وسلم used to say after every obligatory prayer: "There is no God but Allâh Alone, Who has no partner. To Him belongs the kingdom, to Him praise is

---

seek protection from indebtedness to such a degree? He answered that the person in debt not only tells lies, but also breaks his promises. The calamity of life lies in the ill-fated ending of it (without Faith) and the calamity of death lies in the severity of questioning in the grave.

[1] He is 'Abdullâh bin 'Uthmân Abû Quhâfa bin 'Aamir At-Taimi, the *Khalifa* (successor) of Allâh's Messenger صلى الله عليه وسلم and his companion in the cave, the best of all people other than the Prophet صلى الله عليه وسلم. He was white with curly hair, pleasant and thin. He is famously known and needs no elaboration. He died in Jumada Al-Ukhra of the year 13 H.

[2] This *Hadîth* inculcates that a man should always be apologetic of his delinquencies even if he acquires the uppermost level of truthfulness and sincerity.

[3] There are narrations from fifteen Companions of the Prophet صلى الله عليه وسلم concerning *Salâm* (*Taslim* — Salutation). Some of them may be graded as "sound", some are "fair" and some are "weak". None of those contains the words "*wa barakâtuhu*". There is only one narration in this regard which is regarded as trustworthy and is acceptable.

due, and He is Omnipotent. O Allâh no one can withhold what You have given, or give what You have withheld and riches cannot avail a wealthy person[1] against You." [Agreed upon].

وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، اَللَّهُمَّ لاَ مَانِعَ لِمَا أَعْطَيْتَ، وَلاَ مُعْطِيَ لِمَا مَنَعْتَ، وَلاَ يَنْفَعُ ذَا الجَدِّ مِنْكَ الْجَدُّ». مُتَّفَقٌ عَلَيْهِ.

254. Narrated Sa'd bin Abi Waqqâs[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to seek Allâh's protection by invoking this supplication (*Du'a*) at the end of every *Salât* (prayer): "O Allâh, I seek refuge in You from stinginess, I seek refuge in You from cowardice, I seek refuge in You from old geriatric age,[3] I seek refuge in You from the temptation of the world and I seek refuge in You from the punishment in the grave." [Reported by Al-Bukhâri].

(٢٥٤) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يَتَعَوَّذُ بِهِنَّ دُبُرَ كُلِّ صَلاَةٍ: «اَللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنَ الْبُخْلِ، وَأَعُوذُ بِكَ مِنَ الْجُبْنِ، وَأَعُوذُ بِكَ مِنْ أَنْ أُرَدَّ إِلَى أَرْذَلِ الْعُمُرِ، وَأَعُوذُ بِكَ مِنْ فِتْنَةِ الدُّنْيَا، وَأَعُوذُ بِكَ مِنْ عَذَابِ الْقَبْرِ». رَوَاهُ الْبُخَارِيُّ.

255. Narrated Thaubân رضي الله عنه: Whenever Allâh's Messenger صلى الله عليه وسلم finished his prayer, he used to say after asking Allâh's forgiveness three times:[4] "O Allâh, You are peace, and peace comes from You. Blessed are You, O Possessor of

(٢٥٥) وَعَنْ ثَوْبَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا انْصَرَفَ مِنْ صَلاَتِهِ اسْتَغْفَرَ اللَّهَ ثَلاَثاً، وَقَالَ: «اَللَّهُمَّ أَنْتَ السَّلاَمُ، وَمِنْكَ السَّلاَمُ، تَبَارَكْتَ يَا ذَا

[1] The Arabic words ذالجد منك الجد mean: If Your approval and intimacy is not there, then all the grandeur, pomp and worldly possessions are useless. In another words: Whatever mundane things (i.e., wealth, progeny, honour and power) are acquired, shall not serve in the matter of salvation. Salvation will be achieved by Your mercy and blessing alone.

[2] He is nicknamed Abû Ishâq bin Mâlik and was a Zuhri and a Qurashi. He was the fifth or the seventh Muslim and one of the ten to whom the entry of Paradise was promised. He is the first man to shoot in the cause of Allâh and participated in all the important battles. He opened 'Iraq for Islâm and his supplications were accepted. He was short, stout and hairy. He died at Al-'Aqiq which is ten miles from Al-Madîna and was carried on the people's shoulders up to Al-Madîna and was buried at Al-Baqi' in the year 55 H.

[3] In Arabic, the words أرذل العمر denote that part of age wherein either all or some of the internal and external capabilities of a man get weakened.

[4] Showing repentance and asking for the forgiveness of Allâh right after the completion of a prayer is an indication towards the fact that the prayer offered is not quite worth presenting to the Lord as long as the slave has committed innumerable trespasses and delinquencies.

glory and honour."[1] [Reported by Muslim].

الْجَلَالِ وَالْإِكْرَامِ». رَوَاهُ مُسْلِمٌ.

**256.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever glorifies Allâh (by saying *Subhân-Allâh*) after every *Salât* (prayer)[2] thirty-three times, and praises Allâh (by saying *Al-hamdu lillâh*) thirty-three times, and exalts Allâh (by saying *Allâhu Akbar*) thirty-three times, those are ninety-nine in all, and says to complete a hundred: *La ilâha ill-Allâhu, wahdahu lâ sharîka lahu, lahul-mulku wa lahul-hamdu, wa Huwa 'ala kulli shai'in Qadir* (There is no god but Allâh Alone Who has no partner; to Him belongs the kingdom, to Him praise is due, and He is Omnipotent), his sins will be forgiven, even if they are as abundant as the foam of the sea." [Reported by Muslim]. In another version it is mentioned: "*At-Takbîr* (Allâh is the Most Great) to be thirty-four times."

(٢٥٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «مَنْ سَبَّحَ اللَّهَ دُبُرَ كُلِّ صَلَاةٍ ثَلَاثاً وَثَلَاثِينَ، وَحَمِدَ اللَّهَ ثَلَاثاً وَثَلَاثِينَ وَكَبَّرَ اللَّهَ ثَلَاثاً وَثَلَاثِينَ، فَتِلْكَ تِسْعٌ وَتِسْعُونَ، وَقَالَ تَمَامَ الْمِائَةِ «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ» غُفِرَتْ لَهُ خَطَايَاهُ وَلَوْ كَانَتْ مِثْلَ زَبَدِ الْبَحْرِ». رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ أُخْرَى: أَنَّ التَّكْبِيرَ أَرْبَعٌ وَثَلَاثُونَ.

**257.** Narrated Mu'âdh bin Jabal رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم told me, "O Mu'âdh, I will give you some advice — 'Never leave the recitation of this supplication after

(٢٥٧) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لَهُ: «أُوصِيكَ يَا مُعَاذُ: لَا تَدَعَنَّ دُبُرَ كُلِّ صَلَاةٍ

[1] The Prophet صلى الله عليه وسلم showed repentance and asked for the forgiveness of Allâh as an expression of offering thanks to Him as well as imparting an ethical insight to the people, whereas a commoner (an ordinary believer) does the same to atone for the wandering and distracting thoughts he is plagued with during his prayer.

[2] These words represent and epitomise all the good things of this world and the Hereafter. It appears that one should make an utterance of these words (formulae) after each obligatory and non-obligatory prayer, but some scholars have recommended the observance of these formulae after obligatory prayers. Therefore, the propriety of *Du'a* (supplication) after the obligatory prayer is a proven one. What the *Ahadith* do not prove is the observance of a collective and congregational supplication with raised hands. One should only do the same individually by uttering those prescribed devotional formulae.

every (obligatory) prayer: O Allâh, help me to remember You, thank You, and worship You perfectly." [Ahmad, Abû Dâ'ud and An-Nasâ'i reported it through a strong chain of narrators].

أَنْ تَقُولَ: اللَّهُمَّ أَعِنِّي عَلَى ذِكْرِكَ، وَشُكْرِكَ، وَحُسْنِ عِبَادَتِكَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ بِسَنَدٍ قَوِيٍّ.

**258.** Narrated Abû Umâma[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever recites the *Ayât Al-Kursi*[2] at the end of every obligatory prayer, nothing but death[3] will prevent him from entering Paradise."[4] An-Nasâ'i reported it, and Ibn Hibbân graded it *Sahih* (sound). At-Tabarâni made an addition to it: "And (*Sûrat Al-Ikhlâs*) قل هو الله احد."[5]

(٢٥٨) وَعَنْ أَبِي أُمَامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَرَأَ آيَةَ الْكُرْسِيِّ دُبُرَ كُلِّ صَلاةٍ مَكْتُوبَةٍ، لَمْ يَمْنَعْهُ مِنْ دُخُولِ الْجَنَّةِ إِلاَّ الْمَوْتُ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَزَادَ فِيهِ الطَّبَرَانِيُّ: «وَقُلْ هُوَ اللَّهُ أَحَدٌ».

**259.** Narrated Mâlik bin Al-Huwairith رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Pray as you have seen me praying[6]." [Reported by Al-Bukhâri].

(٢٥٩) وَعَنْ مَالِكِ بْنِ الْحُوَيْرِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي». رَوَاهُ الْبُخَارِيُّ.

---

[1] He is Iyâs bin Tha'laba Al-Balawi and an ally of Banû Hâritha of the *Ansâr*. He is a *Sahâbi* and narrated *Ahâdith*. He did not take part in Badr for he was nursing his mother.

[2] *Sûrat Al-Baqarah*; Verse No. 255.

[3] It means that he shall enter Paradise immediately after his death, i.e. had death not been a barrier between the person (who recites *Ayât-al-Kursî*) and the Paradise, he would have entered it in his life itself.

[4] The precedence accorded to *Ayât-al-Kursî* is due to the fact that it contains the cardinal and qualitative Names of Allâh and that it is descriptive of His Oneness and Uniqueness, which He loves the most. *Surât Al-Ikhlâs* also carries the same attributes.

[5] *Sûrat Al-Ikhlâs*; No. 112.

[6] This authentic and great *Hadith* tells us that all the actions and sayings of the Prophet صلى الله عليه وسلم are explanations aiming at directing and ordering us to observe prayers according to the orders given in Qur'ân and *Ahadith* about the performance of *Salât*. This further proves that one should meticulously follow and thoroughly pursue the ways of the Prophet صلى الله عليه وسلم concerning prayers and each of his actions and utterances as an obligation on him. Therefore, all the actions carried out by the Prophet صلى الله عليه وسلم and all the speech uttered by him during and regarding his prayers are obligatory on us except the ones which are proven to be otherwise by a clear-cut evidence.

**260.** Narrated 'Imrân bin Husain رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Pray standing and if you are unable, pray sitting and if you cannot, pray lying on your side, otherwise pray by signs."[1] [Reported by Al-Bukhâri].

(٢٦٠) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ لِي رَسُولُ اللَّهِ ﷺ: «صَلِّ قَائِماً، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِداً، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ، وَإِلَّا فَأَوْمِ». رَوَاهُ الْبُخَارِيُّ.

**261.** Narrated Jâbir رضي الله عنه the saying of the Prophet صلى الله عليه وسلم to a sick person who prayed on a cushion: The Prophet صلى الله عليه وسلم threw it away and said, "Pray on the ground, if you are able to do so; otherwise, pray by gesturing signs and make your prostration lower than your bowing." [Al-Baihaqi reported it through a strong chain of narrators, but Abû Hâtim regarded it as *Mauqûf*].

(٢٦١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ لِمَرِيضٍ - صَلَّى عَلَى وِسَادَةٍ، فَرَمَى بِهَا، - وَقَالَ: «صَلِّ عَلَى الْأَرْضِ إِنِ اسْتَطَعْتَ، وَإِلَّا فَأَوْمِ إِيمَاءً، وَاجْعَلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ بِسَنَدٍ قَوِيٍّ، وَلَكِن صَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ.

## Chapter 8
## *SUJUD AS-SAHW*[2] AND OTHER MATTERS

## ٨ - بَابُ سُجُودِ السَّهْوِ وَغَيْرِهِ

**262.** Narrated 'Abdullâh bin Buhaina رضي الله عنه: The Prophet صلى الله عليه وسلم led them in the *Zuhr* prayer, and when he stood up at the end of the first two *Rak'at* and did not sit[3], the people

(٢٦٢) عَنْ عَبْدِاللَّهِ بْنِ بُحَيْنَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّ النَّبِيَّ ﷺ صَلَّى بِهِمُ الظُّهْرَ فَقَامَ فِي الرَّكْعَتَيْنِ الْأُولَيَيْنِ، وَلَمْ

---

[1] In case someone, also for a reason other than illness, may not stand upright, it is permissible for him to pray in a sitting posture as one does sometimes during his train journey provided he thoroughly completes the postures of bowing and prostration. If he is not capable to do so due to sickness, he should perform it by way of gestural inclinations. If he intends to prostrate, he should bow his head further afar (a few degrees lower) than he does with the intention of bowing. Such is reported in the next *Hadith* narrated by Jâbir رضي الله عنه.

[2] *Sajdat-us-Sahw* (prostration due to forgetfulness) becomes compulsory if someone who is offering a prayer either adds or deletes mistakenly something in it.

[3] We must know that the translation of *Sahw* and *Nisyân* is 'forgetfulness' but *Sahw* usually implies over actions, whereas *Nisyân* usually refers to a piece of information. But both of these words are also taken as synonyms of each other. Among the scholars, no one approves of using the word *Nisyân* for the Prophet صلى الله عليه وسلم. Hence the Prophet صلى الله عليه وسلم never ever suffered from woolly-headedness in the matters related to preaching and propagation of Islâmic Message. How could he possibly suffer from it while Allâh Almighty is saying: سنقرئك فلا تنسى "We shall make you to recite (the Qur'ân) and you will not forget." (V.87:6)

stood up with him. When he finished the *Salât* (prayer) and the people expected him to do the *Taslîm* (salutation), he uttered the *Takbîr* while sitting and made two prostrations before saying the *Taslîm*[1](salutation), then he uttered the *Taslîm* (salutation). [Reported by *As-Sab'a* and this is Al-Bukhâri's version]. In the version of Muslim it is mentioned that, "He (صلى الله عليه وسلم) uttered the *Takbîr* for each prostration while sitting and the people prostrated with him to make up for the sitting he had forgotten".

يَجْلِسُ، فَقَامَ النَّاسُ مَعَهُ، حَتَّى إِذَا قَضَى الصَّلَاةَ، وَانْتَظَرَ النَّاسُ تَسْلِيمَهُ كَبَّرَ وَهُوَ جَالِسٌ، وَسَجَدَ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ، ثُمَّ سَلَّمَ. أَخْرَجَهُ السَّبْعَةُ، وَهَذَا لَفْظُ الْبُخَارِيِّ.
وَفِي رِوَايَةٍ لِمُسْلِمٍ: يُكَبِّرُ فِي كُلِّ سَجْدَةٍ وَهُوَ جَالِسٌ، وَسَجَدَ النَّاسُ مَعَهُ، مَكَانَ مَا نَسِيَ مِنَ الْجُلُوسِ.

**263.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم led us in two *Rak'at* of one of the two, *Zuhr* or *'Asr* prayers, and said the *Taslîm* (salutation). He then got up and went towards a piece of wood which was at the front part of the mosque and placed his hands upon it. Abû Bakr and 'Umar were among the people, but they were afraid to speak to him. Then some of the hasty type of people came out and said, "Has the *Salât* (prayer) been shortened?" A man

(٢٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى النَّبِيُّ ﷺ إِحْدَى صَلَاتَيِ الْعَشِيِّ رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ قَامَ إِلَى خَشَبَةٍ فِي مُقَدَّمِ الْمَسْجِدِ، فَوَضَعَ يَدَهُ عَلَيْهَا وَفِي الْقَوْمِ أَبُو بَكْرٍ وَعُمَرُ، فَهَابَا أَنْ يُكَلِّمَاهُ، وَخَرَجَ سَرَعَانُ النَّاسِ فَقَالُوا: أَقَصُرَتِ الصَّلَاةُ، وَرَجُلٌ يَدْعُوهُ النَّبِيُّ ﷺ ذَا الْيَدَيْنِ، فَقَالَ: يَا رَسُولَ اللَّهِ! أَنَسِيتَ أَمْ قَصُرَتِ

---

The righteous scholars maintain that the usage of the word *Sahw* for the Prophet صلى الله عليه وسلم is permissible as there are references from several *Ahadîth* in this regard. All of the four famous *Imâm* agree that the situations concerning forgetfulness (*Sahw*) for the Prophet صلى الله عليه وسلم are the proven ones. There is no objection to it – neigh they carry several good intentions in their fold (i.e. the forgetfulness of the Prophet صلى الله عليه وسلم).

[1] This *Hadîth* tells us that one can atone for leaving the first *Tashahhud* by performing *Sajdat-us-Sahw*. Some of them advocate that it should be performed before *Salâm*, whereas some prefer it to be done after *Salâm*. Both of these situations are proved from the Prophet صلى الله عليه وسلم. The Prophet صلى الله عليه وسلم never specified any hard and fast rule concerning it all through his life. It is mentioned in the book *Nail-ul-Autâr* that if some omission occurs in the prayer the prostration should be performed before *Salâm*, in case of any addition, it should be performed after *Salâm*. Some of the scholars are of the opinion that in view of the documented evidence, the reports concerning prostration before *Salâm* are more sound and proper.

الصَّلَاةُ؟ فَقَالَ: لَمْ أَنْسَ وَلَمْ تُقْصَرْ، قَالَ: بَلَى قَدْ نَسِيتَ، فَصَلَّى رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ كَبَّرَ، فَسَجَدَ مِثْلَ سُجُودِهِ أَوْ أَطْوَلَ، ثُمَّ رَفَعَ رَأْسَهُ فَكَبَّرَ، ثُمَّ وَضَعَ رَأْسَهُ فَكَبَّرَ، فَسَجَدَ مِثْلَ سُجُودِهِ أَوْ أَطْوَلَ، ثُمَّ رَفَعَ رَأْسَهُ وَكَبَّرَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

whom the Prophet صلى الله عليه وسلم called *Dhul Yadain*[1] (the long armed) stood up (asking him): "Have you forgotten, O Allâh's Messenger or has the prayer been shortened?" He said, "I have neither forgotten[2] nor has it been shortened." He said, "Indeed you have forgotten.[3]" He (the Prophet صلى الله عليه وسلم) then prayed the remaining two *Rak'at,* then said the *Taslîm* (salutation). He then uttered the *Takbîr* and prostrated similar to his normal prostration or longer, then raised up his head and uttered the *Takbîr*.[4] He then prostrated and uttered the *Takbir,* the prostration was similar to his normal prostration or longer, then raised his head and uttered the *Takbir*. [Agreed upon, and it is Bukhâri's version].

---

[1] He is Al-Khirbaq bin 'Amr As-Sulami of Banu Sulaim tribe. He died during the caliphate of Mu'âwiya رضي الله عنه. It is also said that he died at Dhi Khashab during the caliphate of 'Umar رضي الله عنه. He had unusually longer hands, hence he was nicknamed as *Dhul Yadain*.

[2] According to my knowledge, neither I have suffered from any forgetfulness nor there has been any Divine instruction for the prayer to be shortened. (i.e. I do not quite know).

[3] The forgetfulness of the Prophet صلى الله عليه وسلم while being in the prayer, despite the fact that he was completely and utterly steeped in a profound state of meditation while supplicating to Allâh the Almighty, may be construed as a prudently befitting measure and was in fact meant all for the good. First of all, it had an educative purpose to instruct the *Ummah* (nation) practically on the matters related to *Sahw* (forgetfulness) as to what its directives are and how to rectify it, in case, someone does face such situations. Secondly, he wanted to instruct the *Ummah* that despite his honour, dignity and his exalted position of being superior to all the creation, he is still a human being and inherits all the human instincts such as eating, drinking, sleeping, waking up, walking around, responding to the call of nature, getting sick and becoming cured, etc. All the above human qualities are to be found in his person. He himself made a mention of this act of prudence, as the same shall follow in the *Hadîth* narrated by Ibn Mas'ûd رضي الله عنه.

[4] This *Hadîth* clarifies that in case someone feels certain that he has completed his prayer, performs *Salâm*, gets engaged in a conversation and then suddenly realises his fault by recollection or someone else makes him remember about it, his prayer still remains valid provided he completes it right away.

And in the version of Muslim: "'*Asr* prayer"; and in the version of Abû Dâ'ud: "He said, 'Did *Dhul-Yadain* say the truth?' Then they said 'Yes' with gesture"; and it is found in *Sahihain*, but with the word "*Faqâlu* فقالوا"; and in another version: "and he did not prostrate till Allâh make certainty to this."

وَفِيْ رِوَايَةٍ لِّمُسْلِمٍ: «صَلَاةَ الْعَصْرِ». وِلأَبِي دَاوُدَ: فَقَالَ: أَصَدَقَ ذُو الْيَدَيْنِ؟ فَأَوْمَئُوا أَيْ نَعَمْ. وَهِيَ فِي الصَّحِيحَيْنِ، لٰكِنْ بِلَفْظِ: «فَقَالُوا». وَفِيْ رِوَايَةٍ لَّهُ: «وَلَمْ يَسْجُدْ حَتَّى يَقَّنَهُ اللَّهُ تَعَالَى ذَلِكَ».

**264.** Narrated 'Imrân bin Husain رضي الله عنهما: The Prophet صلى الله عليه وسلم led them (the Companions رضي الله عنهم) in prayer and forgot, he then made two prostrations and then said the *Tashahhud* and uttered the *Taslîm* (salutation). [Reported by Abû Dâ'ud, and At-Tirmidhi who graded it *Hasan,* and Al-Hâkim who graded it *Sahih* (sound)].

(٢٦٤) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ صَلَّى بِهِمْ فَسَهَا، فَسَجَدَ سَجْدَتَيْنِ، ثُمَّ تَشَهَّدَ، ثُمَّ سَلَّمَ. رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَالْحَاكِمُ، وَصَحَّحَهُ.

**265.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When anyone of you is in doubt about his *Salât* (prayer) and does not know how many he has prayed, three or four (*Rak'at*), he should cast aside his doubt and base his prayer on what he is sure of,[1] then perform two prostrations before *Taslîm* (salutation). If he has prayed five *Rak'at,* they will make his *Salât* (prayer) an even number[2] for him and if he has prayed exactly four, they

(٢٦٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ فَلَمْ يَدْرِ كَمْ صَلَّى أَثَلَاثاً أَمْ أَرْبَعاً؟ فَلْيَطْرَحِ الشَّكَّ، وَلْيَبْنِ عَلَى مَا اسْتَيْقَنَ، ثُمَّ يَسْجُدْ سَجْدَتَيْنِ قَبْلَ أَنْ يُسَلِّمَ، فَإِنْ كَانَ صَلَّى خَمْساً شَفَعْنَ لَهُ صَلَاتَهُ، وَإِنْ كَانَ صَلَّى تَمَاماً كَانَتَا تَرْغِيماً لِلشَّيْطَانِ». رَوَاهُ مُسْلِمٌ.

[1] It has two meanings. Firstly, in case of doubt, one should base it on the least number, i.e., in case of being uncertain as to whether one has prayed three or four *Rak'at* should count it as three as this is nearest to certainty. Secondly, one should do according to what he is predominantly sure about. (One may be guided according to his view which preponderantly tilts towards certainty).

[2] It means that if one has prayed five *Rak'at*, it will become six including *Sajdat-us-Sahw*. It appears from the *Hadith* that one should base it on the least number as the same is nearer to certainty.

will be humiliation for the devil." [Reported by Muslim].

**266.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم offered prayer and when he said *Taslîm* (salutation), he was asked, "O Allâh's Messenger! has something new happened to the *Salât* (prayer)?" He asked, "What is that?" They said, "You have prayed so many and so many (*Rak'at*)." He (Ibn Mas'ûd رضي الله عنه) said, "He then bent his legs, faced the *Qiblah,* and made two prostrations and then said the *Taslîm* (salutations). Then he faced us and said, "If something new is introduced to the *Salât* (prayer), I shall inform you but I am a human being like you[1], I forget just as you forget; so if I forget remind me and if any of you is in doubt about his *Salât* (prayer) he should base on what is correct and complete his prayer in that respect and then he should make two prostrations." [Agreed upon].

(٢٦٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ، فَلَمَّا سَلَّمَ قِيلَ لَهُ: يَا رَسُولَ اللهِ أَحَدَثَ فِي الصَّلَاةِ شَيْءٌ؟ قَالَ: «وَمَا ذَاكَ؟» قَالُوا: صَلَّيْتَ كَذَا وَكَذَا، قَالَ: فَثَنَى رِجْلَيْهِ، وَاسْتَقْبَلَ الْقِبْلَةَ، فَسَجَدَ سَجْدَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ أَقْبَلَ عَلَيْنَا بِوَجْهِهِ فَقَالَ: «إِنَّهُ لَوْ حَدَثَ فِي الصَّلَاةِ شَيْءٌ أَنْبَأْتُكُمْ بِهِ، وَلَكِنْ إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ، أَنْسَى كَمَا تَنْسَوْنَ، فَإِذَا نَسِيتُ فَذَكِّرُونِي، وَإِذَا شَكَّ أَحَدُكُمْ فِي صَلَاتِهِ فَلْيَتَحَرَّ الصَّوَابَ، فَلْيُتِمَّ عَلَيْهِ، ثُمَّ لِيَسْجُدْ سَجْدَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

And in the version of Al-Bukhâri: 'he should complete (the prayer) then he should say *Taslîm* and then perform the prostration'; and in the version of Muslim: 'the Prophet صلى الله عليه وسلم performed two *Sajdat-us-Sahw* after *Taslîm* and talking'.

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «فَلْيُتِمَّ، ثُمَّ يُسَلِّمْ، ثُمَّ يَسْجُدْ». وَلِمُسْلِمٍ: أَنَّ النَّبِيَّ ﷺ سَجَدَ سَجْدَتَيِ السَّهْوِ بَعْدَ السَّلَامِ وَالْكَلَامِ.

In the version of Ahmad, Abû Dâ'ud and An-Nasâ'i by 'Abdullâh

وَلِأَحْمَدَ وَأَبِي دَاوُدَ وَالنَّسَائِيِّ مِنْ

[1] According to this reference the Prophet صلى الله عليه وسلم had used the words " أنا بشر مثلكم — I am a human being like you." What a surprise on to the people who do not seek of him as a human being and postulate that the statement "I am a human being like you" made in the Qur'ân aims only at silencing the polytheists; whereas the fact is that the people in question here are the believers and not the polytheists.

bin Ja'far[1] (رضي الله عنه): 'Whoever doubts about his *Salât* (prayer), should make two prostrations after the *Taslîm* (salutations).' [Ibn Khuzaima graded it *Sahih* (sound)].

حَدِيثِ عَبْدِاللهِ بْنِ جَعْفَرٍ مَرْفُوعاً: مَنْ شَكَّ فِيْ صَلاَتِهِ فَلْيَسْجُدْ سَجْدَتَيْنِ بَعْدَ مَا يُسَلِّمُ. وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**267.** Narrated Al-Mughira bin Shu'ba رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you doubts and stands at the end of the two *Rak'at,* if he remembers while having stood up he should continue[2] and should not return (to the sitting position) and he should make two prostrations, but if he did not stand up straight he should sit down and there is no forgetfulness (prostration) upon him." [Reported Abû Dâ'ud, Ibn Mâjah, and Ad-Dâraqutni whose version is with a weak *Sanad*].

(٢٦٧) وَعَنِ الْمُغِيْرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ، قَالَ: «إِذَا شَكَّ أَحَدُكُمْ، فَقَامَ فِي الرَّكْعَتَيْنِ، فَاسْتَتَمَّ قَائِماً، فَلْيَمْضِ، وَلاَ يَعُودُ، وَلْيَسْجُدْ سَجْدَتَيْنِ، فَإِنْ لَمْ يَسْتَتِمَّ قَائِماً فَلْيَجْلِسْ، وَلاَ سَهْوَ عَلَيْهِ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَاللَّفْظُ لَهُ، بِسَنَدٍ ضَعِيفٍ.

**268.** Narrated 'Umar رضي الله عنه: The Prophet صلى الله عليه وسلم said, "There is the no (prostrations of) forgetfulness for one[3] who is led (in prayer) by an *Imâm,* but when the *Imâm* forgets, both should then make prostrations due to forgetfulness." [Al-Bazzâr and Al-Baihaqi reported it through a weak chain of narrators].

(٢٦٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَيْسَ عَلَى مَنْ خَلْفَ الْإِمَامِ سَهْوٌ، فَإِنْ سَهَا الْإِمَامُ فَعَلَيْهِ وَعَلَى مَنْ خَلْفَهُ». رَوَاهُ الْبَزَّارُ وَالْبَيْهَقِيُّ بِسَنَدٍ ضَعِيفٍ.

---

[1] He is Abû Ja'far 'Abdullâh bin Ja'far bin Abû Talib, his mother is Asmâ' bint 'Umais. He is the first Muslim to be born in Abyssinia (Ethiopia) and his father came with him to Al-Madîna in 7 H. He was amusing, pious and generous. He was the most generous among the Muslims. He died in Al-Madîna in 80 H. at the age of 80 years.

[2] In case someone forgets to observe the middle *Tashahhud* and stands up, he must go ahead and continue his prayer; and if he does not stand up straight fully, he should observe whether he is closer to standing posture or sitting posture. If closer to standing postures, he should stand up and perform *Sajdat-us-Sahw.* If closer to sitting posture, he must sit down, observe *Tashahhud* and need not make *Sajdat-us-Sahw.*

[3] This *Hadîth* tells us that the observance of *Sajdat-us-Sahw* becomes compulsory on a *Muqtadi* (the one who is being led in the prayer) only if *Imâm* forgets, and not if he himself forgets.

**269.** Narrated Thawbân رضي الله عنه: The Prophet صلى الله عليه وسلم said, "There are two prostrations after the *Taslîm* (salutation) for each forgetfulness[1]." [Abû Dâ'ud and Ibn Mâjah reported it through a weak chain of narrators].

(٢٦٩) وَعَنْ ثَوْبَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «**لِكُلِّ سَهْوٍ سَجْدَتَانِ بَعْدَ مَا يُسَلِّمُ**». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ بِسَنَدٍ ضَعِيفٍ.

**270.** Narrated Abû Huraira رضي الله عنه: We prostrated with Allâh's Messenger صلى الله عليه وسلم (as he recited these *Surah*)[2] "When the heaven split asunder"[3] and "Read in the Name of your Lord."[4] [Reported by Muslim].

(٢٧٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَجَدْنَا مَعَ رَسُولِ اللَّهِ ﷺ فِي «**إِذَا السَّمَاءُ انْشَقَّتْ**» وَ«**اقْرَأْ بِاسْمِ رَبِّكَ**». رَوَاهُ مُسْلِمٌ.

**271.** Narrated Ibn 'Abbâs رضي الله عنهما: A prostration while reciting *Sûrat Sâd*[5] is not one of those which are Divinely commanded[6], but I have seen Allâh's Messenger صلى الله عليه وسلم prostrating while reciting it. [Reported by Al-Bukhâri].

(٢٧١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: (صٓ) لَيْسَتْ مِنْ عَزَائِمِ السُّجُودِ، وَقَدْ رَأَيْتُ رَسُولَ اللَّهِ ﷺ يَسْجُدُ فِيهَا. رَوَاهُ الْبُخَارِيُّ.

**272.** Narrated (Ibn 'Abbâs) رضي الله عنهما: The Prophet صلى الله عليه وسلم prostrated in *Sûrat An-Najm*. [Reported by Al-Bukhâri].

(٢٧٢) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ سَجَدَ بِالنَّجْمِ. رَوَاهُ الْبُخَارِيُّ.

---

[1] The *Hadîth* does not imply that if one commits two or four lapses, he must observe two *Sajdat-us-Sahw* for each one of his lapses. It only implies that irrespective of the number and nature of the lapses one has committed, just two prostrations suffice to atone for all of them.

[2] Whether *Sajdat-ut-Tilâwa* (prostration during the Qur'ânic recitation) falls within the category of *Mashru'* (legitimate), *Sunna* (supererogatory) or *Wâjib* (compulsory); the majority of the scholars state it as *Sunna*, where as Imâm Abû Hanifa maintains that the same is *Wâjib*. There is also a difference of opinion among scholars as to whether or not one need to be in a state of ritual purity to observe this prostration.

[3] *Sûrat* No. 84.

[4] *Sûrat* No. 96.

[5] *Sûrat* No. 38.

[6] According to some of the *Imâm*, this is compulsory just like other prostrations. This *Hadîth* only implies that this has not been decreed as an act of worship, but the same is acted upon as a reminder of the deed practised by the Prophet Dâ'ud (David) عليه السلام.

**273.** Narrated Zaid bin Thâbit[1] رضى الله عنه: I recited to the Prophet صلى الله عليه وسلم "*An-Najm*"[2] but he did not prostrate in it.[3] [Agreed upon].

(٢٧٣) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَرَأْتُ عَلَى النَّبِيِّ ﷺ النَّجْمَ، فَلَمْ يَسْجُدْ فِيهَا. مُتَّفَقٌ عَلَيْهِ.

**274.** Narrated Khâlid bin Ma'dân[4] رضى الله عنه: *Sûrat Al-Hajj*[5] has been excelled with two prostrations. [Abû Dâ'ud reported it among *Al-Marâsil*]. Ahmad and At-Tirmidhi reported the above *Hadîth* through a full chain of narrators from 'Uqba bin 'Aamir. They both added, "If anyone does not make two prostrations (when reciting *Sûrat Al-Hajj*), he should not recite them." [The chain of this *Hadîth* is *Da'if*].

(٢٧٤) وَعَنْ خَالِدِ بْنِ مَعْدَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: فُضِّلَتْ سُورَةُ الْحَجِّ بِسَجْدَتَيْنِ. رَوَاهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ مَوْصُولاً مِنْ حَدِيثِ عُقْبَةَ بْنِ عَامِرٍ، وَزَادَ: «فَمَنْ لَمْ يَسْجُدْهُمَا فَلاَ يَقْرَأْهَا». وَسَنَدُهُ ضَعِيفٌ.

**275.** Narrated 'Umar رضى الله عنه: He said, "O people! We pass in our recitation verses to be prostrated at, so whoever prostrates has done the right thing, and there is no sin upon the one who does not prostrate.[6]"

(٢٧٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: يَآ أَيُّها النَّاسُ! إِنَّا نَمُرُّ بِالسُّجُودِ، فَمَنْ سَجَدَ فَقَدْ أَصَابَ، وَمَنْ لَمْ يَسْجُدْ فَلاَ إِثْمَ عَلَيْهِ. رَوَاهُ الْبُخَارِيُّ.

---

[1] Zaid bin Thâbit is an Ansâri, a Najjâri and was nicknamed Abû Sa'id or Abû Khârija. He was the best Qur'ân scribe and most knowledgeable in the science of inheritance. He first fought in the battle of Al-Khandaq. He compiled the Qur'ân during the caliphate of Abû Bakr and copied it during the caliphate of 'Uthman. He learnt the Jewish writing in half a month by the order of the Prophet صلى الله عليه وسلم and used to write for him in it, and he used to write and then read it. He died in Al-Madîna in the year 45 H. It was also said that he died in a different year.

[2] *Sûrat* No. 53.

[3] This is why the majority of the scholars have regarded *Sajdat-ut-Tilâwa* (prostration made during the Qur'ân recitation) as a *Sunna* (supererogatory) because the Prophet صلى الله عليه وسلم did not observe the said prostrations regularly on all occasions. Sometimes he did, sometimes he did not.

[4] He is Abu 'Abdullâh Al-Kalâ'i from Hims (in Syria). He was among the prominent and most knowledgeable *Tâbi'i* generation (who came after the *Sahâba*). He said that he met seventy Companions of the Prophet صلى الله عليه وسلم. He died in the year 103H. or 104H. or 108H.

[5] *Sûrat* No. 22

[6] This *Hadith* is a clear evidence that *Sajdat-ut-Tilâwa* is not a compulsory act. 'Umar رضى الله عنه said so while addressing a gathering of the Companions of the Prophet صلى الله عليه وسلم and none

[Al-Bukhâri reported it] and added, 'Allâh the Most High has not made the prostration (of recitation) compulsory, unless one wishes so.' [This *Hadîth* is in the *Muwatta'* of Imâm Mâlik].

وَفِيهِ: إِنَّ اللَّهَ تَعَالَى لَمْ يَفْرِضِ السُّجُودَ إِلَّا أَنْ يَشَاءَ. وَهُوَ فِي الْمُوَطَّإِ.

**276.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم used to recite the Qur'ân to us, and when he came to a place where a prostration should be made, he uttered the *Takbîr* and prostrated and we prostrated with him.[1] [Reported by Abû Dâ'ud through a weak chain].

(٢٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ النَّبِيُّ ﷺ يَقْرَأُ عَلَيْنَا الْقُرْآنَ، فَإِذَا مَرَّ بِالسَّجْدَةِ كَبَّرَ وَسَجَدَ، وَسَجَدْنَا مَعَهُ. رَوَاهُ أَبُو دَاوُدَ بِسَنَدٍ فِيهِ لِينٌ.

**277.** Narrated Abû Bakra رضي الله عنه: Whenever the Prophet صلى الله عليه وسلم received a matter which pleased him he used to prostrate to Allâh. [Reported by *Al-Khamsa* except An-Nasâ'i].

(٢٧٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا جَاءَهُ أَمْرٌ يَسُرُّهُ خَرَّ سَاجِداً لِلَّهِ. رَوَاهُ الْخَمْسَةُ إِلَّا النَّسَائِيَّ.

**278.** Narrated 'Abdur-Rahmân bin 'Auf[2] رضي الله عنه: The Prophet صلى الله عليه وسلم prostrated and prolonged the *Sajda*, he then raised his head and said, "Jibrael (Gabriel) had come and given me glad tidings, thereafter I prostrated in gratitude to Allâh."

(٢٧٨) وَعَنْ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَجَدَ النَّبِيُّ ﷺ فَأَطَالَ السُّجُودَ، ثُمَّ رَفَعَ رَأْسَهُ وَقَالَ: إِنَّ جِبْرِيلَ أَتَانِي، فَبَشَّرَنِي، فَسَجَدْتُ لِلَّهِ شُكْراً. رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ الْحَاكِمُ.

---

of them uttered a word about it which in turn proved that they maintained a collective silence in regard to this matter.

[1] This tells us that the prostration is obligatory on both the reciter and the listener on the condition that they are offering a prayer. The same also applies to *Sajdat-ut-Tilâwa* (prostration during the recitation) and *Sajdat-ush-Shukr* (prostration to express thanks).

[2] He is called Abû Muhammad Az-Zuhri Al-Qurashi. He became a Muslim early and migrated twice to Abyssinia (Ethiopia). He took part in Badr and all the major battles. He is one of the ten promised to enter Paradise, and one of the six 'Umar رضي الله عنه had selected to appoint a *Khalifa* (caliph) after him. He gave four thousand and then forty thousand Dinar, and then five hundred loaded horses, and then five hundred camels as *Sadaqa*, during the lifetime of the Prophet صلى الله عليه وسلم. He left a will of a garden valued at four hundred thousand for 'the Mothers of the Believers'. He died in the year 34 H. and was buried in Al-Baqi'.

[Ahmad reported it and Al-Hâkim graded it *Sahih* (sound)].

**279.** Narrated Al-Barâ' bin 'Azib رضى الله عنهما: The Prophet صلى الله عليه وسلم sent 'Ali to Yemen. The narrator mentioned the complete *Hadîth*[1]. He said, "Ali sent a letter regarding their (the people of Yemen) acceptance of Islâm. When Allâh's Messenger صلى الله عليه وسلم read the letter, he prostrated in gratitude[2] to Allâh the Most High for that." [Reported by Al-Baihaqi and its origin is found in *Sahih Al-Bukhâri*].

(٢٧٩) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ بَعَثَ عَلِيًّا إِلَى الْيَمَنِ، فَذَكَرَ الحديثَ. قال: فكتب عليٌّ بإسلامهم، فَلَمَّا قَرَأَ رَسُولُ اللهِ ﷺ الْكِتَابَ خَرَّ سَاجِداً، شُكْراً للهِ عَلَى ذَلِكَ. رَوَاهُ الْبَيْهَقِيُّ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

## Chapter 9
## VOLUNTARY PRAYER

## ٩ - بَابُ صَلاَةِ التَّطَوُّعِ

**280.** Narrated Rabi'a bin Ka'b Al-Aslami[3] رضى الله عنه: The Prophet صلى الله عليه وسلم said to me, "Ask." I said, "I ask your company in Paradise." He replied, "Anything else?" I said, "That is all." He said, "Then help me to achieve this for you by devoting yourself[4] often to prostration.[5]" [Reported by Muslim].[6]

(٢٨٠) عَنْ رَبِيعَةَ بْنِ كَعْبٍ الْأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِيَ النَّبِيُّ ﷺ: «سَلْ»، فَقُلْتُ: أَسْأَلُكَ مُرَافَقَتَكَ فِي الْجَنَّةِ، فَقَالَ: «أَوَ غَيْرَ ذَلِكَ؟» فَقُلْتُ: هُوَ ذَاكَ، قَالَ: «فَأَعِنِّي عَلَى نَفْسِكَ بِكَثْرَةِ السُّجُودِ». رَوَاهُ مُسْلِمٌ.

---

[1] It is so reported that 'Ali رضى الله عنه came to Yemen along with 300 of his men. He invited them (the Yemenites) to Islâm. In response to his invitation, the Yemenites attacked them with arrows. 'Ali رضى الله عنه also delivered a counterattack on them and as a result of it, 20 of their eminent activists were killed. There ensued a rift among the later, and they ran away from the battlefield. They were invited to Islâm once again which they accepted. 'Ali رضى الله عنه met the Prophet صلى الله عليه وسلم in Makka during *Hajj* days, the same year, after his safe return from this mission.

[2] It comprises an answer to those who do not recognise the proven validity of *Sajdat-ush-Shukr* (thanksgiving prostration).

[3] His *Kunya* is Abû Firâs Al-Madani. He was a *Sahabi* and from the Companions of *Suffa*. He was a servant of Allâh's Messenger and used to serve and accompany him in journeys and at the home. He died in the year 63H.

[4] This tells us that if someone intends to acquire close proximity to Allâh and his Prophet صلى الله عليه وسلم, it is imperative on him to offer *Nawafil* (voluntary prayers) in abundance.

**281.** Narrated Ibn 'Umar رضي الله عنهما: I mastered from the Prophet صلى الله عليه وسلم ten (voluntary) *Rak'at* — two *Rak'at* before the *Zuhr* prayer and two after it; two *Rak'at* after *Maghrib* prayer in his house, and two *Rak'at* after *'Ishâ'* prayer in his house, and two *Rak'at* before the *Fajr* prayer. [Agreed upon]. Another version of both (Al-Bukhâri and Muslim) has: 'two *Rak'at* after *Jumu'a* prayer in his house.'

(٢٨١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: حَفِظْتُ مِنَ النَّبِيِّ ﷺ عَشْرَ رَكَعَاتٍ: رَكْعَتَيْنِ قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ بَعْدَهَا، وَرَكْعَتَيْنِ بَعْدَ الْمَغْرِبِ فِي بَيْتِهِ، وَرَكْعَتَيْنِ بَعْدَ الْعِشَاءِ فِيْ بَيْتِهِ، وَرَكْعَتَيْنِ قَبْلَ الصُّبْحِ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لَّهُمَا: وَرَكْعَتَيْنِ بَعدَ الْجُمُعَةِ فِيْ بَيْتِهِ.

And in the version of Muslim: 'He never prayed after day break except two light *Rak'at*.'

وَلِمُسْلِمٍ: كَانَ إِذَا طَلَعَ الْفَجْرُ لاَ يُصَلِّي إِلاَّ رَكْعَتَيْنِ خَفِيفَتَيْنِ.

**282.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم never left four *Rak'at* before the *Zuhr* prayer, and two *Rak'at* before the *Fajr* prayer[1]. [Reported by Al-Bukhâri].

(٢٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ لاَ يَدَعُ أَرْبَعاً قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ قَبْلَ الْغَدَاةِ. رَوَاهُ الْبُخَارِيُّ.

---

[5] This *Hadîth* contains an evidence for those who deem the prostration to be the very best amongst the rest of the constitutents of *Salât*..

[6] The meaning of the *Hadîth* is, "I pray to Allâh to give you what you're asking for, and I will ask Him to give you, but since it is a big thing to ask for, you have to offer a lot of voluntary prayers so that my prayer becomes acceptable".

[1] This *Hadith* tells us about four *Rak'a* which are to be performed as *Sunna* (supererogatory) before the *Fard* (obligatory) ones in the *Zuhr* (noon prayer). It has earlier been mentioned through the reference of 'Abdullâh bin 'Umar رضي الله عنهما that there are two *Rak'at* to be offered prior to the obligatory prayer. As an elaboration concerning the applied situation, it is stated that he (صلى الله عليه وسلم) used to pray four *Rak'at* at home as an act of deference to the opening of the gates of the heavens, and two *Rak'at Sunna* in the mosque. Some maintain that he (صلى الله عليه وسلم) prayed four *Rak'at* at home and as to the two *Rak'at*, which he used to offer in the mosque, these were none other than the *Tahiyat-ul-Masjid* (mosque greeting prayer). Some of them observe that both of them are *Sunna* of the *Zuhr* (noon) prayer and that the Prophet صلى الله عليه وسلم sometimes prayed four and sometimes prayed two only. Both are correct, but however, the four are preferable to the two. There is no difference of opinion regarding the two *Rak'at* of *Fajr* (morning) prayer as they are graded as *Sunnat Mu'akkada* (restrictive - a *Sunna* offered regularly by the Prophet صلى الله عليه وسلم). The Prophet صلى الله عليه وسلم is not reported to leave them during his journeys too, and therefore it is binding on a traveller to never ever shun the *Witr* of night and likewise the *Sunna* of the morning prayer.

**283.** Narrated ('Aisha) رضي الله عنها: The Prophet صلى الله عليه وسلم was never more particular about offering the two (optional) *Rak'at* at dawn than offering any of the other optional prayers. [Agreed upon].

(٢٨٣) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمْ يَكُنِ النَّبِيُّ ﷺ عَلَى شَيْءٍ مِّنَ النَّوَافِلِ أَشَدَّ تَعَاهُداً مِّنْهُ عَلَى رَكْعَتَي الْفَجْرِ. مُتَّفَقٌ عَلَيْهِ.

In the version of Muslim, it is mentioned: "The two *Rak'at* at dawn are better than this world and what it contains."

وَلِمُسْلِمٍ: «رَكْعَتَا الْفَجْرِ خَيْرٌ مِّنَ الدُّنْيَا وَمَا فِيهَا».

**284.** Narrated Umm Habiba[1] رضي الله عنها the Mother of the Believers: She heard Allâh's Messenger صلى الله عليه وسلم say, "Whoever prays twelve (voluntary) *Rak'at* in a day and a night, a house will be built for him in Paradise with them (the *Rak'at*)." [Reported by Muslim]. In another version, it is mentioned: "Voluntarily".

(٢٨٤) وَعَنْ أُمِّ حَبِيبَةَ أُمِّ الْمُؤْمِنِينَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ صَلَّى اثْنَتَيْ عَشْرَةَ رَكْعَةً فِي يَوْمٍ وَلَيْلَةٍ بُنِيَ لَهُ بِهِنَّ بَيْتٌ فِي الْجَنَّةِ». رَوَاهُ مُسْلِمٌ، وَفِي رِوَايَةٍ: «تَطَوُّعاً».

At-Tirmidhi reported the same and added: "four *Rak'at* before *Zuhr* and two *Rak'at* after it and two *Ra'kat* after *Maghrib* and two after *'Ishâ'* and two *Rak'at* before the *Fajr* prayer."

وَلِلتِّرْمِذِيِّ نَحْوُهُ وَزَادَ: أَرْبَعاً قَبْلَ الظُّهْرِ، وَرَكْعَتَيْنِ بَعْدَهَا، وَرَكْعَتَيْنِ بَعْدَ الْمَغْرِبِ، وَرَكْعَتَيْنِ بَعْدَ الْعِشَاءِ وَرَكْعَتَيْنِ قَبْلَ صَلَاةِ الْفَجْرِ.

And in the version of *Al-Khamsa*, by her ('Aisha رضي الله عنها): "Whoever prays regularly four *Rak'at* before and four *Rak'at* after the *Zuhr* prayer, Allâh will forbid for him Hell-fire."

وَلِلْخَمْسَةِ عَنْهَا: «مَنْ حَافَظَ على أَرْبَعٍ قَبْلَ الظُّهْرِ، وَأَرْبَعٍ بَعْدَهَا، حَرَّمَهُ اللَّهُ تَعَالَى عَلَى النَّارِ».

**285.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "May Allâh have mercy on a person

(٢٨٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «رَحِمَ

[1] She is called Ramla bint Abû Sufyân and sister of Mu'âwiya. She become a Muslim long ago, migrated to Abyssinia (Ethiopia), and her husband 'Ubaidullâh bin Jahsh became a Christian and died there. Then Allâh's Messenger صلى الله عليه وسلم married her in the year 7H. while she was there, then she came to Al-Madîna with the migrants to Abyssinia (Ethiopia). She died in the year 42H. or 44 H. or 50 H.

اللّٰهُ امْرَأً صَلَّى أَرْبَعاً قَبْلَ الْعَصْرِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَابْنُ خُزَيْمَةَ، وَصَحَّحَهُ.

who prays four *Rak'at* before the *'Asr* prayer."[1] [Reported by Ahmad, Abû Dâ'ud and At-Tirmidhi and the latter graded it *Hasan* (fair). Also reported by Ibn Khuzaima who graded it *Sahih* (sound)].

(٢٨٦) وَعَنْ عَبْدِ اللهِ بْنِ مُغَفَّلٍ الْمُزَنِيِّ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «صَلُّوا قَبْلَ الْمَغْرِبِ، صَلُّوا قَبْلَ الْمَغْرِبِ»، ثُمَّ قَالَ فِي الثَّالِثَةِ: لِمَنْ شَاءَ، كَرَاهِيَةَ أَنْ يَتَّخِذَهَا النَّاسُ سُنَّةً. رَوَاهُ الْبُخَارِيُّ.

**286.** Narrated 'Abdullâh bin Mughaffal Al-Muzani[2] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Pray before *Maghrib*, pray before *Maghrib*"[3] then he said at the third time, "Whoever wishes (to)". He said so, because he did not like the people to take it as a *Sunna*.[4] [Reported by Al-Bukhâri].

وَفِي رِوَايَةٍ لِابْنِ حِبَّانَ: أَنَّ النَّبِيَّ ﷺ صَلَّى قَبْلَ الْمَغْرِبِ رَكْعَتَيْنِ.

And in the version of Ibn Hibbân: "The Prophet صلى الله عليه وسلم prayed two *Rak'at* before the *Maghrib* (prayer)."

وَلِمُسْلِمٍ عَنْ أَنَسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي رَكْعَتَيْنِ بَعْدَ غُرُوبِ الشَّمْسِ، وَكَانَ النَّبِيُّ ﷺ يَرَانَا، فَلَمْ يَأْمُرْنَا، وَلَمْ يَنْهَنَا.

In the version of Muslim by Anas رضي الله عنه he said, "We used to pray two *Rak'at* after sunset and the Prophet صلى الله عليه وسلم used to see us, but he neither commanded nor forbade us."

---

[1] This *Hadîth* tells us that the practice of the four *Rak'at* being offered before *'Asr* (afternoon) prayer also existed. If someone offers them, shall accrue reward and virtue to his credit, and if not, there is no blame on him.

[2] He was among *Ashâb Ash-Shajara* (who took oath to defend the religion against Quraish at Al-Hudaibiya). He settled at Al-Madîna then at Basra. He was among the ten sent by 'Umar رضي الله عنه to Basra to teach the people the religion. He died in the year 60 H.

[3] There is a difference of opinion among the scholars concerning tho preferability of the two *Rak'at* prior to the *Maghrib* (evening) prayer. The ones who are affirmative about the validity, infer their evidence from *Sahihain* (Bukhâri and Muslim); and and the ones who reject them, make their comparison to the *Hadîth* by Abû Dâ'ud to the effect that while 'Abdullâh bin 'Umar رضي الله عنهما was asked about the two *Rak'at* before the *Maghrib* prayer, he answered that he never saw anyone offering the same during the lifetime of the Prophet صلى الله عليه وسلم. The fact is that their authenticity is proven but they are not to be considerated as *Sunnat -Mu'akkada* (restrictive one). Because Anas رضي الله عنه, the narrator of the Prophet's *Ahadith* reported: "Whenever the Prophet صلى الله عليه وسلم saw us offering them, he neither ordered us to offer them necessarily nor he instructed us to refrain from them." It is thus deduced that one can offer them in case there is still sometime left for the congregational prayer, but it is improper to delay prayers because of them.

[4] This *Hadîth* tells us that the validity and propriety of those two *Rak'at* prior to *Maghrib* prayer is proven.

**287.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم used to make the two (voluntary) *Rak'at* before the *Fajr* prayer so short that I would wonder whether he recited *Al-Fatiha* (or not). [Agreed upon].

(٢٨٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ النَّبِيُّ ﷺ يُخَفِّفُ الرَّكْعَتَيْنِ اللَّتَيْنِ قَبْلَ صَلَاةِ الصُّبْحِ، حَتَّى إِنِّي أَقُولُ: أَقَرَأَ بِأُمِّ الْكِتَابِ؟ مُتَّفَقٌ عَلَيْهِ.

**288.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم recited *Sûrat Al-Kâfirûn*,[1] and *Sûrat Al-Ikhlâs*[2] in the two (voluntary) *Rak'at* of the *Fajr* (prayer). [Reported by Muslim].

(٢٨٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَرَأَ فِي رَكْعَتَيِ الْفَجْرِ «قُلْ يَا أَيُّهَا الْكَافِرُونَ» وَ «قُلْ هُوَ اللَّهُ أَحَدٌ». رَوَاهُ مُسْلِمٌ.

**289.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم used to lie down on his right side[3], after praying the two (voluntary) *Fajr* prayer. [Reported by Al-Bukhâri].

(٢٨٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ النَّبِيُّ ﷺ إِذَا صَلَّى رَكْعَتَيِ الْفَجْرِ اضْطَجَعَ عَلَى شِقِّهِ الْأَيْمَنِ. رَوَاهُ الْبُخَارِيُّ.

**290.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If any of you prays the two *Rak'at* before the dawn prayer, he should lie on his right side." [Reported by Ahmad, Abû Dâ'ud and At-Tirmidhi, the latter graded it *Sahih* (sound)].

(٢٩٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا صَلَّى أَحَدُكُمُ الرَّكْعَتَيْنِ قَبْلَ صَلَاةِ الصُّبْحِ فَلْيَضْطَجِعْ عَلَى جَنْبِهِ الْأَيْمَنِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

**291.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The (voluntary) night prayers are two *Rak'at* two *Rak'at*, and if one

(٢٩١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «صَلَاةُ اللَّيْلِ مَثْنَى مَثْنَى، فَإِذَا خَشِيَ أَحَدُكُمْ

---

[1] *Sûrat* No. 109.

[2] *Sûrat* No. 112.

[3] There is a difference of opinion among the scholars concerning this which is of a unique kind. Some regard the act of lying down as *Wâjib* (compulsory) some see it as *Sunna* (supererogatory), whereas others observe the same as *Mustahab* (desirable or preferable). According to Imâm Nawawi's view, it is *Sunna* which does stand to reason too. As to the report stating to the non-compliance of Ibn 'Umar رضي الله عنهما with the said *Sunna*, it is due to its being related to the mosque. The Prophet صلى الله عليه وسلم used to lie down in his house only. Both the acts of offering the two *Rak'at* in the mosque and lying down there on the part of the Prophet صلى الله عليه وسلم are not approved.

fears that the dawn prayer is due, he should then offer one *Rak'at* which will make an odd number what he has been praying." [Agreed upon]. The *Khamsa* reported a version graded *Sahih* by Ibn Hibbân to the effect: "the (voluntary) day and night prayers are two *Rak'at* two *Rak'at*." An-Nasâ'i said, "This is a mistake[1]."[2]

الصُّبحَ صَلَّى رَكْعَةً وَاحِدَةً، تُوتِرُ لَهُ مَا قَدْ صَلَّى». مُتَّفَقٌ عَلَيْهِ، وَلِلخَمْسَةِ - وَصَحَّحَهُ ابْنُ حِبَّانَ - بِلَفْظِ «صَلاةُ اللَّيْلِ وَالنَّهَارِ مَثْنَى مَثْنَى». وَقَالَ النَّسَائِيُّ: هَذَا خَطَأٌ.

**292.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The most excellent prayer after that which is obligatory is the (late voluntary) night prayer." [Reported by Muslim].

(٢٩٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَفْضَلُ الصَّلاةِ بَعْدَ الفَرِيضَةِ، صَلاةُ اللَّيْلِ». أَخْرَجَهُ مُسْلِمٌ.

**293.** Narrated Abû Ayûb Al-Ansâri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "*Al-Witr* prayer is a duty upon every Muslim,[3] so whoever likes to offer it with five *Rak'at* let him do so and whoever likes to offer it with three let him do so, and whoever likes to offer it with one let

(٢٩٣) وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «الوِتْرُ حَقٌّ عَلَى كُلِّ مُسْلِمٍ، مَنْ أَحَبَّ أَنْ يُوتِرَ بِخَمْسٍ فَلْيَفْعَلْ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِثَلاثٍ فَلْيَفْعَلْ، وَمَنْ أَحَبَّ أَنْ يُوتِرَ بِوَاحِدَةٍ

[1] Nasâ'i states that the words صلاة الليل مثنى مثنى *Salât-ul-Lail mathna, mathna* (the night prayer is two *Rak'at* two *Rak'at*) are correct, but the words صلاة الليل والنهار مثنى مثنى (the prayer of the night time and day time are two *Rak'at* two *Rak'at*) are incorrect, i.e. the addition of the word والنهار (*wan-Nahâr*) is considered to be an excess and thus erroneous (according to the view of Imâm Nasâ'i).

[2] The point of view of Imâm Nasâ'i concerning this narration and declaring it to be incorrect is insubstantial and lacking authenticity since Baihaqi declares it as correct. Furthermore, Imâm Muslim, by drawing on the authority of 'Ali bin 'Abdullâh Bâriqi, (the narrator of the *Ahadîth* of the Prophet صلى الله عليه وسلم) accorded it more of the credibility and trustworthiness by approving it. Imâm Bukhâri has reported eight *Ahadîth* in this regard, all of which are supportive of it. However, irrespective of the fact whether they are to be offered during the day or night, it is preferable to offer the *Nawâfil* in two *Rak'at* prayers and it is also permissible to offer in four *Rak'at* prayers.

[3] This *Hadîth* informs us that the offering of *Witr* is compulsory. The *Ahnâf* (followers of Imâm Abû Hanifa) follow the same school of thought. The rest of the *Imâm* and majority of the scholars regard the same as *Sunna*. Hence the next *Hadîth*, which is stronger in terms of chain of transmitters, approves it.

him do so.[1]" [Reported by *Al-Arba'a* except At-Tirmidhi. And Ibn Hibbân graded it *Sahih* (sound) and An-Nasâ'i preponderated it as *Mawqûf* (untraceable)].

فَلْيَفْعَلْ». رَوَاهُ الْأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَرَجَّحَ النَّسَائِيُّ وَقْفَهُ.

**294.** Narrated 'Ali bin Abû Tâlib رضي الله عنه: The *Witr* prayer is not obligatory as the prescribed prayer is, but it is a *Sunna* which was sanctioned by Allâh's Messenger صلى الله عليه وسلم. [At-Tirmidhi and An-Nasâ'i reported it, who graded it *Hasan*. Al-Hâkim graded it *Sahih* (sound)].

(٢٩٤) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَيْسَ الْوِتْرُ بِحَتْمٍ كَهَيْئَةِ الْمَكْتُوبَةِ، وَلَكِنْ سُنَّةٌ سَنَّهَا رَسُولُ اللَّهِ ﷺ: رَوَاهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ وَحَسَّنَهُ، وَالْحَاكِمُ وَصَحَّحَهُ.

**295.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم prayed during the month of Ramadân. Then they (the *Sahâba)* waited for him on the following night, but he did not come out and he said, "I feared that[2] the *Witr* (prayer) might be prescribed[3] for you." [Reported by Ibn Hibbân].

(٢٩٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَامَ فِي شَهْرِ رَمَضَانَ، ثُمَّ انْتَظَرُوهُ مِنَ الْقَابِلَةِ فَلَمْ يَخْرُجْ، وَقَالَ: إِنِّي خَشِيتُ أَنْ يُكْتَبَ عَلَيْكُمُ الْوِتْرُ. رَوَاهُ ابْنُ حِبَّانَ.

**296.** Narrated Khârija bin Hudhâfa[4] رضي الله عنه: Allâh's Messenger صلى الله عليه

(٢٩٦) وَعَنْ خَارِجَةَ ابْنِ حُذَافَةَ رَضِيَ

---

[1] According to reports, the number of *Rak'at* in *Witr* vary from one to eleven. Some scholars accord their preference to three *Rak'at*. Majority of the Companions (of the Prophet صلى الله عليه وسلم), their followers, Imâm Shafi'i, Imâm Ahmad and Imâm Malik recognise and prefer only one *Rak'a*.

[2] According to this *Hadîth*, the Prophet صلى الله عليه وسلم led the *Tarâwih* prayer in congregation three nights in his whole life and the regular observance of the same during the whole month started later on in the time of the Caliph 'Umar رضي الله عنه.

[3] This *Hadîth* describes the prayer of *Tarâwih* as *Witr* and the maximum number of *Witr Rak'at* is eleven. Be it known that the number of *Tarâwih* is also eleven *Rak'at*. It is reported from 'Aisha رضي الله عنها that the Prophet صلى الله عليه وسلم did not offer more than eleven *Rak'at* during Ramadân and as well as in regular days. 'Umar رضي الله عنه ordered Ubai bin Ka'b to lead eight *Rak'at*. It can thus, at the most, be said that people offered 20 *Rak'at* also during the days of 'Umar رضي الله عنه (provided that too is proven by chain of transmitters); but there is no traceable sound *Hadîth* verifying the validity of twenty *Rak'at* of *Tarâwih*.

[4] He is a Qurashi, and an 'Adawi, who was equalled with one thousand horsemen. 'Amr bin Al-'Aas رضي الله عنه appealed to 'Umar bin Al-Khattab رضي الله عنه to send him three thousand horsemen, but he sent him three men who are: Az-Zubair bin Al-'Awwâm, Al-Miqdâd bin Al-Aswad and Kharija. He became a *Qadi* in Egypt for 'Amr bin Al-'Aas and was killed

اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ أَمَدَّكُمْ بِصَلاةٍ هِيَ خَيْرٌ لَكُمْ مِنْ حُمْرِ النَّعَمِ»، قُلْنَا: وَمَا هِيَ يَا رَسُولَ اللهِ؟ قَالَ: «الْوِتْرُ، مَا بَيْنَ صَلاةِ الْعِشَاءِ إِلَى طُلُوعِ الْفَجْرِ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ الْحَاكِمُ.

وَرَوَى أَحْمَدُ عَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ نَحْوَهُ.

وسلم said, "Allâh the Exalted has given you an extra prayer which is better for you than the red camels (high breed camels)." We asked, "What is it O Allâh's Messenger." He said, "The *Witr* between the *'Ishâ'* prayer till dawn break."[1]. [Reported by *Al-Khamsa* except An-Nasâ'i and Al-Hâkim graded it *Sahih* (sound)].

Ahmad reported something similar to the above *Hadîth* from 'Amr[2] bin Shu'aib[3] on the authority of his father who reported it on the authority of 'Amr's grandfather.

(٢٩٧) وَعَنْ عَبْدِ اللهِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عنه ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْوِتْرُ حَقٌّ، فَمَنْ لَمْ يُوتِرْ فَلَيْسَ مِنَّا». أَخْرَجَهُ أَبُو دَاوُدَ بِسَنَدٍ لَيِّنٍ، وَصَحَّحَهُ الْحَاكِمُ، وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ أَحْمَدَ.

**297.** Narrated 'Abdullâh bin Buraida[4] رضي الله عنه from his father: Allâh's Messenger صلى الله عليه وسلم said, "The *Witr* is a duty, so he who does not offer it, is not among us." [Reported by Abû Dâ'ud with a *Laiyin* (weak) chain of narrators and Al-Hâkim graded it *Sahih* (sound)]. The above mentioned *Hadîth* has a weak authority in a version reported by Ahmad from Abû Huraira رضي الله عنه.

---

there in Ramadân 40 H. by one of the *Khawarij* who mistook him for 'Amr bin Al-'Aas. This was when the *Khawarij* had conspired to kill 'Amr, 'Ali and Mu'âwiya .

[1] According to this *Hadîth*, the time of *Witr* stretches from *'Ishâ'* and goes on until the first streak of dawn. The preferable time is the later part of the night, but in case, one is not sure whether or not he / she may be able to get up from sleep, one should offer *Witr* right after the *'Ishâ'* prayer.

[2] He is Abû Ibrahim 'Amr bin Shu'aib bin 'Abdullâh bin 'Amr bin Al-'Aas As-Sahmi Al-Qurashi Al-Madani who settled at Ta'if. An-Nasâ'i confirmed him reliable. He died in the year 118 H.

[3] One of the reliable *Tâbi'in*. It has been said that his father Muhammad had died in his childhood, so his grandfather 'Abdullâh bin 'Amr, the famous *Sahâbi* brought him up. And it has been established that he actually heard the *Hadîth* from him, so it is neither *Munqati'* nor *Mursal*, but a *Muttasil* which does not go below the rank of *Hasan*.

[4] He is Abû Sahl the *Qadi* of Marw who was one of the most reliable and prominent *Tabi'in* of the third grade. He died in Marw in the year 115 H.

**298.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم did not offer more than eleven (voluntary) *Rak'at* during Ramadân and during other than Ramadân. He offered four *Rak'at,* what can be said about their beauty and length. Again he would pray four *Rak'at,* what can be said about their beauty and length. Then he would pray three (*Rak'at* of *Witr).* 'Aisha رضي الله عنها said, "I said, O Allâh's Messenger will you sleep before you pray *Witr*?" He said, "O 'Aisha my eyes sleep, but my heart does not sleep." [Agreed upon].

(٢٩٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مَا كَانَ رَسُولُ اللهِ ﷺ يَزِيدُ فِيْ رَمَضَانَ وَلاَ فِيْ غَيْرِهِ عَلَى إِحْدَى عَشْرَةَ رَكْعَةً، يُصَلِّيْ أَرْبَعاً، فَلاَ تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ، ثُمَّ يُصَلِّي أَرْبَعاً، فَلاَ تَسْأَلْ عَنْ حُسْنِهِنَّ وَطُولِهِنَّ، ثُمَّ يُصَلِّيْ ثَلاَثاً، قَالَتْ عَائِشَةُ فَقُلْتُ: يَا رَسُولَ اللهِ أَتَنَامُ قَبْلَ أَنْ تُوتِرَ؟ قَالَ: **يَا عَائِشَةُ إِنَّ عَيْنَيَّ تَنَامَانِ، وَلاَ يَنَامُ قَلْبِي**. مُتَّفَقٌ عَلَيْهِ.

And in the version of Al-Bukhâri and Muslim, ('Aisha) رضي الله عنها narrated: "He used to pray ten *Rak'at* prayer, and making it *Witr* by one *Rak'at*, and he used to pray two *Rak'at* prayer of *Fajr*, so that became thirteen[1] *Rak'at*."

وَفِيْ رِوَايَةٍ لَهُمَا عَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا كَانَ يُصَلِّي مِنَ اللَّيْلِ عَشْرَ رَكْعَاتٍ، وَيُوتِرُ بِسَجْدَةٍ، وَيَرْكَعُ رَكْعَتَي الْفَجْرِ، فَتِلْكَ ثَلاَثَ عَشْرَةَ.

**299.** Narrated ('Aisha) رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to pray thirteen *Rak'at* during the night, offering a *Witr* out of that with five and sitting only during the last of them. [Agreed upon].

(٢٩٩) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّيْ مِنَ اللَّيْلِ ثَلاَثَ عَشْرَةَ رَكْعَةً، يُوْتِرُ مِنْ ذَلِكَ بِخَمْسٍ، لاَ يَجْلِسُ فِيْ شَيْءٍ إِلاَّ فِي آخِرِهَا.

**300.** Narrated ('Aisha) رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم offered *Witr* prayer at different nights at various hours, extending (from the *Ishâ'* prayer) up to the last hour of the night. [Agreed upon].

(٣٠٠) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مِنْ كُلِّ اللَّيْلِ قَدْ أَوْتَرَ رَسُولُ اللهِ ﷺ، وَانْتَهَى وِتْرُهُ إِلَى السَّحَرِ. مُتَّفَقٌ عَلَيْهِمَا.

[1] There is a difference of opinion as to whether the *Tahajjud* (night prayer) comprises of eleven or thirteen *Rak'at*. Eleven are agreed upon and thirteen are in disagreement. The fact is that the Prophet صلى الله عليه وسلم sometimes offered eleven *Rak'at* prayer of *Tahajjud* including the *Witr* and sometimes thirteen *Rak'at*.

**301.** Narrated 'Abdullâh bin 'Amr bin 'Aas رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم told me, "O 'Abdullâh! Do not be like so-and-so who used to be awake in the night for prayer and then gave it up." [Agreed upon].

(٣٠١) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «**يَا عَبْدَ اللهِ لاَ تَكُنْ مِثْلَ فُلاَنٍ، كَانَ يَقُومُ مِنَ اللَّيْلِ. فَتَرَكَ قِيَامَ اللَّيْلِ**». مُتَّفَقٌ عَلَيْهِ.

**302.** Narrated 'Ali bin Abi Tâlib رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "O people of the Qur'ân! offer *Witr* (prayer), because Allâh is One[1] and loves *Witr*." [Reported by *Al-Khamsa* and Ibn Khuzaima graded it *Sahih* (sound)].

(٣٠٢) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**أَوْتِرُوا يَا أَهْلَ الْقُرْآنِ! فَإِنَّ اللَّهَ وِتْرٌ، يُحِبُّ الْوِتْرَ**». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**303.** Narrated Ibn 'Umar رضى الله عنهما: The Prophet صلى الله عليه وسلم said, "Make the last of your prayer at night a *Witr*.[2]" [Agreed upon].

(٣٠٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «**اِجْعَلُوا آخِرَ صَلاَتِكُمْ بِاللَّيْلِ وِتْراً**». مُتَّفَقٌ عَلَيْهِ.

**304.** Narrated Talq bin 'Ali رضى الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "There are no two *Witr* (prayers) during one night." [Reported by Ahmad and *Ath-Thalatha* and Ibn Hibbân graded it *Sahih* (sound)].

(٣٠٤) وَعَنْ طَلْقِ بْنِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: **لاَ وِتْرَانِ فِي لَيْلَةٍ**. رَوَاهُ أَحْمَدُ وَالثَّلاَثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**305.** Narrated Ubai bin Ka'b[3] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم

(٣٠٥) وَعَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ

[1] It alludes to the Qualities of Allâh the Almighty, i.e. He is Unique in His Qualities. ليس كمثله شيء "There is nothing quite like Him."

[2] According to some narrations, the Prophet صلى الله عليه وسلم used to offer two *Rak'at* of *Nafl* after *Witr* prayers and hence is exempted from the same. Some observe that one should offer two *Rak'at* of the *Nafl* prayer in the later part of night in case he offers his *Witr* during the earlier part of it. If he does the same in the later part of the night, he need not offer the *Nafl* prayer.

[3] He is an Ansâri a Najjâri and Khazraji and was nicknamed Abû Al-Mundhir. He was the master of the Qur'ân scholars and one of the scribes of the *Wahy* (the Qur'ânic revelation). He was also one of those who had collected the Qur'ân and gave *Fatwa* (legal verdict)

recited in *Witr* prayer *Sûrat Al-A'la*[1] in the first *Rak'at*, *Sûrat Al-Kâfirûn* and *Sûrat Al-Ikhlâs* in the second *Rak'at*. [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i]. The latter added, "And he did not say the *Taslîm* (salutation) except at their end."

In the version of Abû Dâ'ud and At-Tirmidhi by 'Aisha رضي الله عنها that Allâh's Messenger صلى الله عليه وسلم used to recite a *Sûrat* in every *Rak'at* and in the third *Rak'at* he would recite *Sûrat Al-Ikhlâs* and the *Al-Mu'awwidhataih*[2].

**306.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Offer *Witr* prayer before it is morning." [Reported by Muslim].

In the version of Ibn Hibbân: 'whosoever gets the *Fajr* prayer and he did not offer *Witr*, then he will not get the reward of the *Witr*.'[3]

تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُوتِرُ «بِسَبِّحِ اسْمَ رَبِّكَ الْأَعْلَى» وَ«قُلْ يَا أَيُّهَا الْكَافِرُونَ» و«قُلْ هُوَ اللَّهُ أَحَدٌ» رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَزَادَ: وَلاَ يُسَلِّمُ إِلاَّ فِي آخِرِهِنَّ.

وَلِأَبِي دَاوُدَ وَالتِّرْمِذِيِّ نَحْوُهُ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، وَفِيهِ: كُلُّ سُورَةٍ فِي رَكْعَةٍ، وَفِي الْأَخِيرَةِ «قُلْ هُوَ اللَّهُ أَحَدٌ» وَ«الْمُعَوِّذَتَيْنِ».

(٣٠٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «أَوْتِرُوا قَبْلَ أَنْ تُصْبِحُوا». رَوَاهُ مُسْلِمٌ.

وَلِابْنِ حِبَّانَ: مَنْ أَدْرَكَ الصُّبْحَ وَلَمْ يُوتِرْ، فَلاَ وِتْرَ لَهُ.

---

during the lifetime of Allâh's Messenger صلى الله عليه وسلم. He participated in the second 'Aqaba, Badr and the battles that followed. The year of his death has been disagreed on as being 19 H., 20 H., 22 H., 30 H., 32 H., or 33 H.

[1] *Sûrat* No. 87.

[2] *Sûrat* No. 113, 114.

[3] This *Hadîth* tells us that the time of *Witr* ends at the beginning of dawn and as long the time is gone, they have not been offered in accordance with the Prophet's *Sunna* and this is what this *Hadîth* implies. It does not mean that if one could not incidentally offer the same until morning, he should not offer it at all. An incident concerning one of the Companions of the Prophet صلى الله عليه وسلم is reported in a *Hadîth* stating that once he slept and got up very late. He sent out his slave to ascertain whether or not the congregational prayer had been offered by that time. The slave came back answering in affirmative. Upon knowing this, he offered *Witr* first, then *Sunna*, and then the *Fard* (obligatory) prayer of the morning. It is thus known that if someone could not offer *Witr* during the specified time limit, he should invariably offer them as *Qada* (missed) prayers later on. The Prophet صلى الله عليه وسلم vigorously emphasized that one must offer *Witr* prayer on the specified time without fail, and the ones about whom he suspected that they may not get up early enough in the morning, he used to instruct them that they should offer *Witr* at night. Hence he instructed Abû Huraira رضي الله عنه that he must offer his *Witr* at night.

**307.** Narrated (Abû Sa'îd Al-Khudri) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever oversleeps and misses the *Witr,* or forgets it, should pray in the morning[1] or when he remembers." [Reported by *Al-Khamsa* except An-Nasâ'i].

(٣٠٧) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ نَامَ عَنِ الْوِتْرِ أَوْ نَسِيَهُ، فَلْيُصَلِّ إِذَا أَصْبَحَ أَوْ ذَكَرَ». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ.

**308.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone is afraid that he may not get up in the latter part of the night, he should offer *Witr* in the first part of it; and if anyone is eager to get up in the last part of it, he should offer *Witr* at the end of the night, for prayer at the end of night is witnessed (by the angels) and that is preferable." [Reported by Muslim].

(٣٠٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ خَافَ أَنْ لاَ يَقُومَ مِنْ آخِرِ اللَّيْلِ فَلْيُوتِرْ أَوَّلَهُ، وَمَنْ طَمِعَ أَنْ يَقُومَ آخِرَهُ فَلْيُوتِرْ آخِرَ اللَّيْلِ، فَإِنَّ صَلاَةَ آخِرِ اللَّيْلِ مَشْهُودَةٌ، وَذَلِكَ أَفْضَلُ». رَوَاهُ مُسْلِمٌ.

**309.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "When the dawn breaks, then the time of all night prayers including the *Witr* is over, so observe the *Witr* before dawn." [Reported by At-Tirmidhi].

(٣٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا طَلَعَ الْفَجْرُ، فَقَدْ ذَهَبَ وَقْتُ كُلِّ صَلاَةِ اللَّيْلِ، والْوِتْرِ، فَأَوْتِرُوا قَبْلَ طُلُوعِ الْفَجْرِ». رَوَاهُ التِّرْمِذِيُّ.

**310.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to pray four[2] *Rak'at* in *Duha* prayer

(٣١٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي

[1] One should know that should someone misses a prayer out of a sincere oblivion or due to having fallen asleep, he shall not be brought to account in both these cases and to that he shall get an equal amount of reward as if he has offered a prayer on time, but it is prohibited to go to sleep at such a time when the time of a certain prayer is about to approach. In case such a thing happens inadvertantly and beyond one's capability and control, one shall not be blamed for it.

[2] Let it be known that *Ishrâq*, *Salât-ul-Awwabîn* and *Duha* are different names that stand for indentically the same forenoon prayer. The time of this prayer starts with the sunrise and goes on until one-fourth of the day. The least number of *Rak'at* of *Duha* prayer are two and the maximum are twelve. The preferable among them are four which is supported and approved by the *Ahadîth* of the Prophet صلى الله عليه وسلم. It may also be remembered that this prayer is a *Sunna* of former Messengers as they used to offer it during their times. Hence this prayer is a *Sunna* and *Mustahab* (desirable). As to the matter of this prayer being called an *Bid'a* (innovation) by 'Umar رضي الله عنه, it only alludes to the fact that if someone develops

and added whatever Allâh wished for him." [Reported by Muslim].

الضُّحَى أَرْبَعاً، وَيَزِيدُ مَا شَاءَ اللَّهُ. رَوَاهُ مُسْلِمٌ.

A version reported by Muslim has: ('Aisha) رضي الله عنها was asked, "Did Allâh's Messenger صلى الله عليه وسلم use to offer the *Duha* prayer?" She replied, "No, unless he came back from a journey."

وَلَهُ عَنْهَا أَنَّهَا سُئِلَتْ: هَلْ كَانَ رَسُولُ اللهِ ﷺ يُصَلِّي الضُّحَى؟ قَالَتْ: لاَ إِلاَّ أَنْ يَجِيءَ مِن مَغِيبِهِ.

Another version of Muslim has: ('Aisha) رضي الله عنها said, "I have never seen Allâh's Messenger صلى الله عليه وسلم offering *Duha* prayer, yet I offer it.[1]"

وَلَهُ عَنْهَا: مَا رَأَيْتُ رَسُولَ اللهِ ﷺ يُصَلِّي سُبْحَةَ الضُّحَى قَطُّ، وَإِنِّي لأُسَبِّحُهَا.

**311.** Narrated Zaid bin Arqam رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The prayer of those who are penitent is offered when the young weaned camels feel the heat of the sun[2]." [Reported by At-Tirmidhi].

(٣١١) وَعَنْ زَيْدِ بْنِ أَرْقَمَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: **«صَلاَةُ الأَوَّابِينَ حِينَ تَرْمَضُ الفِصَالُ»**. رَوَاهُ التِّرْمِذِيُّ.

**312.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever prays twelve *Rak'at* of *Duha*, Allâh will build a castle for him in Paradise." [Reported by At-Tirmidhi who graded it *Gharib* (unfamiliar, doubtful)].

(٣١٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«مَنْ صَلَّى الضُّحَى ثِنْتَيْ عَشْرَةَ رَكْعَةً، بَنَى اللَّهُ لَهُ قَصْراً فِي الْجَنَّةِ»**. رَوَاهُ التِّرْمِذِيُّ، وَاسْتَغْرَبَهُ.

**313.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم entered my house and prayed eight *Rak'at* of *Duha* prayer. [Reported by Ibn Hibbân in his *Sahih*].

(٣١٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ رَسُولُ اللهِ ﷺ بَيْتِي، فَصَلَّى الضُّحَى ثَمَانِيَ رَكَعَاتٍ. رَوَاهُ ابْنُ حِبَّانَ فِي صَحِيحِهِ.

---

a habit of continually offering it, it may be regarded as an innovation, as the Prophet صلى الله عليه وسلم did not always offer it.

[1] Though this *Hadith* and the two preceding it seem to contradict apparently, they however indicate that *Duha* is a voluntary prayer as confirmed by the *Hadith* scholars.

[2] This *Hadith* indicates that the best time of *Zuhr* prayer is just before noon.

## Chapter 10
## PRAYER IN CONGREGATION AND THE IMAMATE

## ١٠ - بَابُ صَلاةِ الْجَمَاعَةِ وَالإِمَامَةِ

**314.** Narrated 'Abdullah bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "A prayer offered in a congregation is twenty-seven[1] degrees more rewardable than a prayer offered by a single person." [Agreed upon].

Both Al-Bukhâri and Muslim have also reported through Abû Huraira (رضي الله عنه) who: "Twenty-five degrees (more)." In the same version of Al-Bukhâri from Abû Sa'îd Al-Khudri: "He (صلى الله عليه وسلم) said (the word) *Daraja* (degree)."

(٣١٤) عَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «صَلاةُ الجَماعَةِ أَفْضَلُ مِنْ صَلاةِ الفَذِّ بِسَبْعٍ وَعِشْرِينَ دَرَجَةً». مُتَّفَقٌ عَلَيْهِ.

وَلَهُمَا عَنْ أَبِي هُرَيْرَةَ: «بِخَمْسٍ وَعِشْرِينَ جزءًا» وَكَذَا لِلْبُخَارِيِّ عَنْ أَبِي سَعِيْدٍ، وَقَالَ: «دَرَجَةً».

**315.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "By Him in Whose Hand my soul is, I have thought of giving orders for fuel wood to be gathered, then giving orders for *Salât* (prayer) and having the *Adhân* called for, then ordering a man to lead the people , then going off to some people who are not present at the prayer and burning down[2] their houses upon them. By Him in Whose Hand my soul is, if one of them knew he would find a fat meaty bone or two fine sheep hooves he would attend the *'Ishâ'* (evening

(٣١٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ، لَقَدْ هَمَمْتُ أَنْ آمُرَ بِحَطَبٍ فَيُحْتَطَبَ، ثُمَّ آمُرَ بِالصَّلاةِ فَيُؤَذَّنَ لَهَا، ثُمَّ آمُرَ رَجُلاً فَيَؤُمَّ النَّاسَ، ثُمَّ أُخَالِفَ إِلَى رِجَالٍ لا يَشْهَدُونَ الصَّلاةَ فَأُحَرِّقَ عَلَيْهِمْ بُيُوتَهُمْ، وَالَّذِي نَفْسِي بِيَدِهِ لَوْ يَعْلَمُ أَحَدُهُمْ أَنَّهُ يَجِدُ عَرْقاً سَمِيناً، أَوْ مِرْمَاتَيْنِ حَسَنَتَيْنِ لَشَهِدَ العِشَاءَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

[1] In the forthcoming narrations, the reward is reported to be as great as 25 times. It depends on the calibre of the one offering the prayer. The one who is highly graded acquires it 27 times more and the one who is comparatively lower-graded, is only eligible for 25 times more.

[2] We are informed through this *Hadîth* that offering of a prayer in congregation is *Fard 'Ain* (individual duty)." Had it been merely *Fard Kifâya* (collective duty) or *Sunnat Mu'akkada* (restrictive), the Prophet صلى الله عليه وسلم would not have used such harsh words for the people who shun attending congregational prayers.

prayer)." [Agreed upon, and the version is that of Al-Bukhâri].

**316.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The most burdensome prayers for hypocrites[1] are the *'Ishâ'* and the *Fajr* prayers and if they knew what (rewards) these (prayers) contain, they would have come to them (in the mosques), even though they had to crawl on their knees." [Agreed upon].

(٣١٦) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **أَثْقَلُ الصَّلاَةِ عَلَى الْمُنَافِقِينَ صَلاَةُ الْعِشَاءِ وَصَلاَةُ الْفَجْرِ، وَلَوْ يَعْلَمُونَ مَا فِيهِمَا لأَتَوْهُمَا وَلَوْ حَبْواً**». مُتَّفَقٌ عَلَيْهِ.

**317.** Narrated (Abû Huraira) رضي الله عنه: A blind[2] man came to the Prophet صلى الله عليه وسلم and said, "O Messenger of Allâh, I have no guide to take me to the mosque." He (the Prophet صلى الله عليه وسلم) therefore permitted him (to pray at his house), then when the man turned away the Prophet صلى الله عليه وسلم called him and asked, "Can you hear the *Adhân* (call for prayer)?" He answered, "Yes", he (the Prophet صلى الله عليه وسلم) said, "Then respond to it." [Reported by Muslim].

(٣١٧) وَعَنْهُ قَالَ: أَتَى النَّبِيَّ ﷺ رَجُلٌ أَعْمَى فَقَالَ: يَا رَسُولَ اللهِ! إِنَّهُ لَيْسَ لِيْ قَائِدٌ يَقُودُنِيْ إِلَى الْمَسْجِدِ، فَرَخَّصَ لَهُ، فَلَمَّا وَلَّى دَعَاهُ فَقَالَ: «**هَلْ تَسْمَعُ النِّدَآءَ بِالصَّلاَةِ؟**» قَالَ: نَعَمْ، قَالَ: «**فَأَجِبْ**». رَوَاهُ مُسْلِمٌ.

**318.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Whoever hears[3] the call for prayer and is not prevented from joining the

(٣١٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ سَمِعَ**

[1] The word 'hypocrisy' is used here in reference to the hypocrisy in actions and deeds, and not the hypocrisy in infidelity, for a hypocrite is a perfect disbeliver in his house and attends mosque merely for the purpose of showing-off.

[2] This blind person was none other than 'Abdullâh bin Umm Maktum. After the instructions of the Prophet صلى الله عليه وسلم, he attended the mosque with such a constant regularity that he was at last appointed a *Mua'dhdhin* (the call-maker for a prayer). As long as a handicapped person is ordered strictly to attend the congregational prayer, what about those who do not attend congregational prayers without any excuse? The prayer of a handicapped person is acceptable at home, but he too does not get the reward of congregation.

[3] This *Hadîth* tells us that the inability to hear *Adhân* (call to prayer) is an excuse. As long as one has heard it, there is no excuse for him. Among the excuses are: a hurricane, a rainfall, an extreme hunger, defecation, urination and suffering from sickness, etc., which are acceptable for not being able to join a congregational prayer.

congregation by any excuse, his prayer will not be accepted from him." [Reported by Ibn Mâjah, Ad-Dâraqutni, Ibn Hibbân and Al-Hâkim. Its chain of narration meets Muslim's conditions but some *Hadîth* scholars preponderated it being *Mawqûf*].

النِّدَاءَ فَلَمْ يَأْتِ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عُذْرٍ». رَوَاهُ ابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ، لَكِن رَجَّحَ بَعْضُهُمْ وَقْفَهُ.

**319.** Narrated Yazid bin Al-Aswad[1] رضي الله عنه: He offered the morning prayer with Allâh's Messenger صلى الله عليه وسلم and when Allâh's Messenger صلى الله عليه وسلم finished his prayer, he saw two men who had not prayed with him. He ordered them to be brought and they were brought trembling[2] with fear. He asked them what had prevented you from praying with us?" They said, "We had already prayed at our homes." He said, "Don't do so, if you pray at your homes and then you come while the *Imâm* has not yet performed the prayer, you must pray with him, and it will be an voluntary prayer for you." [Reported by Ahmad who has the above version and *Ath-Thalâtha*. At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(٣١٩) وَعَنْ يَزِيدَ بْنِ الْأَسْوَدِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ صَلَّى مَعَ رَسُولِ اللَّهِ ﷺ صَلَاةَ الصُّبْحِ، فَلَمَّا صَلَّى رَسُولُ اللَّهِ ﷺ، إِذَا هُوَ بِرَجُلَيْنِ لَمْ يُصَلِّيَا، فَدَعَا بِهِمَا، فَجِيءَ بِهِمَا، تَرْعَدُ فَرَائِصُهُمَا، فَقَالَ لَهُمَا: «مَا مَنَعَكُمَا أَنْ تُصَلِّيَا مَعَنَا»؟ قَالَا: قَدْ صَلَّيْنَا فِي رِحَالِنَا، قَالَ: «فَلَا تَفْعَلَا، إِذَا صَلَّيْتُمَا فِي رِحَالِكُمَا ثُمَّ أَدْرَكْتُمَا الْإِمَامَ وَلَمْ يُصَلِّ فَصَلِّيَا مَعَهُ، فَإِنَّهَا لَكُمَا نَافِلَةٌ». رَوَاهُ أَحْمَدُ، وَاللَّفْظُ لَهُ، وَالثَّلَاثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**320.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The *Imâm* has been appointed to be followed (in the congregational prayers), so when he utters the *Takbîr*, utter the *Takbîr* too, and do not utter the *Takbîr* until he utters it

(٣٢٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّمَا جُعِلَ الْإِمَامُ لِيُؤْتَمَّ بِهِ، فَإِذَا كَبَّرَ فَكَبِّرُوا، وَلَا تُكَبِّرُوا حَتَّى يُكَبِّرَ، وَإِذَا رَكَعَ فَارْكَعُوا، وَلَا

[1] He is Jâbir As-Sawâi Al-'Aamiri who was an ally of Quraish. He was a *Sahâbi* who settled at Ta'if and this is the only *Hadith* from him by his son Jâbir.

[2] Their bodies started quivering (a termor seized them) due to a tremendous amount of awe and fear inspired by the personality of the Prophet صلى الله عليه وسلم as the same normally happens due to a shocking fright.

and when he bows, you bow and do not bow until he bows. And when he says, "Allâh listens to him who praises him," say, "O Allâh, our *Rabb*, to you is the praise." And when he prostrates, you prostrate; and do not prostrate until he prostrates. When he prays standing, pray standing, and when he prays sitting, all of you pray sitting.[1]" [Reported by Abû Dâ'ud and this is his version and its origin is in the *Sahihain* (of Al-Bukhâri and Muslim)].

تَرْكَعُوا حَتَّى يَرْكَعَ وَإِذَا قَالَ: «سَمِعَ اللَّهُ لِمَنْ حَمِدَهُ» فَقُولُوا: «اللَّهُمَّ رَبَّنَا لَكَ الحَمْدُ» وَإِذَا سَجَدَ فَاسْجُدُوا، وَلاَ تَسْجُدُوا حَتَّى يَسْجُدَ، وَإِذَا صَلَّى قَائِماً فَصَلُّوا قِيَاماً، وَإِذَا صَلَّى قَاعِداً فَصَلُّوا قُعُوداً أَجْمَعِينَ». رَوَاهُ أَبُو دَاوُدَ، وَهَذَا لَفْظُهُ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ.

**321.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم saw a tendency among his Companions of going to the back so he said, "Come forward and follow my lead and let those behind you follow you.[2]" [Reported by Muslim].

(٣٢١) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ رَأَى فِي أَصْحَابِهِ تَأَخُّراً، فَقَالَ «تَقَدَّمُوا، فَائْتَمُّوا بِي، وَلْيَأْتَمَّ بِكُمْ مَنْ بَعْدَكُمْ» رَوَاهُ مُسْلِمٌ.

**322.** Narrated Zaid bin Thâbit رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم made a small room of mat and prayed inside it, then the people followed him, and they came to pray behind him.[3] The narrator mentioned the rest of the *Hadîth* and he concluded: "The most excellent prayer of a person is (that which he prays) in his

(٣٢٢) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: احْتَجَرَ رَسُولُ اللهِ ﷺ حُجْرَةً مُخَصَّفَةً، فَصَلَّى فِيهَا، فَتَتَبَّعَ إِلَيْهِ رِجَالٌ، وَجَاءُوا يُصَلُّونَ بِصَلاَتِهِ، الحَدِيثَ. وَفِيهِ: «أَفْضَلُ صَلاَةِ الْمَرْءِ فِي بَيْتِهِ، إِلاَّ

[1] This ruling now stands cancelled. The Prophet صلى الله عليه وسلم did lead the prayer in a sitting posture while he suffered from a fell disease (i.e. pursuant to which he passed away) whereby the followers offered the same in the normal standing position.

[2] This *Hadîth* may be cited as an evidence concerning the *Muqtadi* (followers in a prayer) who may see an *Imâm*, but cannot possibly hear him. Such followers must pursue other followers (who are ahead of them in line). We are also enlightened about the fact that the front row is the most preferable one and one should eagerly strike for its occupancy, and that the second row should not be distant from the first row, and that the first row should not similarly be distant from the *Imâm*.

[3] This *Hadîth* specifies tht if there exists a wall or partition or some other distance between *Imâm* and his followers, the prayer still remains valid. Some people do not subscribe to the contents of this *Hadîth* but it's validity should suffice to convince them.

house except that which is prescribed." [Agreed upon].

الْمَكْتُوبَةَ». مُتَّفَقٌ عَلَيْهِ.

**323.** Narrated Jâbir رضي الله عنه: Mu'âdh bin Jabal رضي الله عنه led his companions in the night prayer and prolonged it for them. Upon this the Prophet صلى الله عليه وسلم said to him, "O Mu'âdh, do you want to become a *Fattan*[1]? When you lead people in prayers[2], recite *Ash-Shamsi wa duhâhâ*[3], *Sabbihisma Rabbikal-A'la*[4], *Iqra' Bismi Rabbika*[5] and *Wal-Laili idha yaghshâ*[6]." [Agreed upon. And the version is from Muslim].[7]

(٣٢٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى مُعَاذٌ بِأَصْحَابِهِ الْعِشَاءَ، فَطَوَّلَ عَلَيْهِمْ، فَقَالَ النَّبِيُّ ﷺ: «أَتُرِيدُ أَنْ تَكُونَ يَا مُعَاذُ فَتَّاناً؟ إِذَا أَمَمْتَ النَّاسَ فَاقْرَأْ «بِالشَّمْسِ وَضُحَاهَا» وَ«سَبِّحِ اسْمَ رَبِّكَ الْأَعْلَى» وَ«اقْرَأْ بِاسْمِ رَبِّكَ» «وَاللَّيْلِ إِذَا يَغْشَى» مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**324.** Narrated 'Aisha رضي الله عنها regarding Allâh's Messenger صلى الله عليه وسلم leading the people in *Salat* (prayer) during his illness. She said, "He came and sat on the left side of Abû Bakr (رضي الله عنه). So he (صلى الله عليه وسلم) was leading the people in prayer while sitting and Abû Bakr standing

(٣٢٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فِي قِصَّةِ صَلَاةِ رَسُولِ اللَّهِ ﷺ بِالنَّاسِ وَهُوَ مَرِيضٌ، قَالَتْ: فَجَاءَ حَتَّى جَلَسَ عَنْ يَسَارِ أَبِي بَكْرٍ، فَكَانَ يُصَلِّي بِالنَّاسِ جَالِساً، وَأَبُو بَكْرٍ قَائِماً، يَقْتَدِي أَبُو بَكْرٍ بِصَلَاةِ النَّبِيِّ

---

[1] Meaning: "By lengthening the recitation, do you want to inflict pain unto the people who are being led by you, thereby weaning them off the habit of attending congregational prayers?"

[2] This *Hadîth* enjoins upon us that an *Imâm*, during his prayer, should not lengthen his recitation to such an extent that it should get on the nerves of the followers lest they should shun the congregational prayers. Another *Hadîth* following this one states the reason for not lengthening the recitation, but again, it should not be shortened to such a degree wherein one could not even complete the constituents of a prayer. The proper method is that the prayer should be led in a light and moderate way according to the *Sunna* of the Prophet صلى الله عليه وسلم.

[3] *Sûrat Ash-Shams*, No. 91.

[4] *Sûrat Al-A'la*, No. 87.

[5] *Sûrat Al-'Alaq*, No. 96.

[6] *Sûrat Al-Lail*, No. 92.

[7] Another *Hadîth* reports that Mu'âdh رضي الله عنه first used to offer his prayers behind the Prophet صلى الله عليه وسلم, then offered his *Nafl* (voluntary prayers) and then used to lead the prayer in another mosque. This explains that one could offer his *Fard* (obligatory prayers) behind the *Imâm* who is offering the *Nafl* (voluntary prayers).

following the prayer of the Prophet صلى الله عليه وسلم, and the people following the prayer of Abû Bakr." [Agreed upon].

ﷺ، وَيَقْتَدِي النَّاسُ بِصَلَاةِ أَبِي بَكْرٍ. مُتَّفَقٌ عَلَيْهِ.

**325.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When one of you leads the people in prayer he should be brief, for among them are the young the old, the weak and the needy. But if he prays by himself he may pray as he wishes." [Agreed upon].

(٣٢٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا أَمَّ أَحَدُكُمُ النَّاسَ فَلْيُخَفِّفْ، فَإِنَّ فِيهِمُ الصَّغِيرَ وَالْكَبِيرَ وَالضَّعِيفَ وَذَا الْحَاجَةِ، فَإِذَا صَلَّى وَحْدَهُ فَلْيُصَلِّ كَيْفَ شَاءَ». مُتَّفَقٌ عَلَيْهِ.

**326.** Narrated 'Amr bin Salama[1] (رضي الله عنه) My father said, "I have come from the true Prophet صلى الله عليه وسلم, so when the time of *Salat* (prayer) comes one of you should announce the *Adhân* and the one of you who knows the Qur'ân most should be your *Imâm*." He ('Amr) said, "They looked around and there was no one who knew the Qur'ân more than I.[2] So they put me forward in front of them and I was only six or seven[3] years old." [Reported by Al-Bukhâri, Abû Dâ'ud and An-Nasâi'].

(٣٢٦) وَعَنْ عَمْرِو بْنِ سَلِمَةَ قَالَ: قَالَ أَبِي: جِئْتُكُمْ مِنْ عِنْدِ النَّبِيِّ ﷺ حَقًّا، قَالَ: «فَإِذَا حَضَرَتِ الصَّلَاةُ فَلْيُؤَذِّنْ أَحَدُكُمْ، وَلْيَؤُمَّكُمْ أَكْثَرُكُمْ قُرْآنًا»، قَالَ: فَنَظَرُوا، فَلَمْ يَكُنْ أَحَدٌ أَكْثَرَ قُرْآنًا مِنِّي، فَقَدَّمُونِي، وَأَنَا ابْنُ سِتٍّ أَوْ سَبْعِ سِنِينَ. رَوَاهُ الْبُخَارِيُّ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ.

**327.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The one who recites the Book of Allâh most should be the *Imâm* of the

(٣٢٧) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «يَؤُمُّ

---

[1] He is Abû Yazid or Abû Buraid. He came with his father to the Prophet صلى الله عليه وسلم. It is also said that he did not come with his father. He belonged to the tribe of Jurum and settled in Basra.

[2] This *Hadith* explains that the most eligible person to be an *Imâm* is the one who posses more knowledge of *Shari'a* (Islamic law). If two persons posses the same amount of knowledge, then the more pious one should lead the prayer. The similar criteria has also been mentioned in the narration of Ibn Mas'ûd.

[3] This explains that a boy, who has not yet reached his puberty, may lead the prayer of an adult, or a group of adults, in case he happens to be more knowledgeable than those adults in the matter concerning and related to *Shari'a* (Islamic law).

people. If they are equal in the recitation, then the one who knows the *Sunna* most and if they are equal in the *Sunna* then the earliest of them to emigrate (to Al-Madîna) and if they are equal in the emigration then the oldest among them in Islâm. In another version has "agewise" – and no man should lead another in prayer in his domain or sit in his place of honour without his permission." [Reported by Muslim].

الْقَوْمَ أَقْرَؤُهُمْ لِكِتَابِ اللهِ تَعَالَى، فَإِنْ كَانُوا فِي الْقِرَاءَةِ سَوَاءً فَأَعْلَمُهُمْ بِالسُّنَّةِ، فَإِنْ كَانُوا فِي السُّنَّةِ سَوَاءً فَأَقْدَمُهُمْ هِجْرَةً، فَإِنْ كَانُوا فِي الْهِجْرَةِ سَوَاءً فَأَقْدَمُهُمْ سِلْماً - وَفِي رِوَايَةٍ «سِنًّا» - وَلاَ يَؤُمَّنَّ الرَّجُلُ الرَّجُلَ فِي سُلْطَانِهِ، وَلاَ يَقْعُدُ فِي بَيْتِهِ عَلَى تَكْرِمَتِهِ، إِلاَّ بِإِذْنِهِ». رَوَاهُ مُسْلِمٌ.

**328.** Ibn Mâjah reported the following from Jâbir's narration, "A woman is never to lead a man in prayer, neither a bedouin (desert Arab) to lead an emigrant, nor an unchaste man to lead a believer one." [Its chain of narrations is *Wâhin* (weak)].

(٣٢٨) وَلابْنِ مَاجَهْ مِنْ حَدِيثِ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «وَلاَ تَؤُمَّنَّ امْرَأَةٌ رَجُلاً، وَلاَ أَعْرَابِيٌّ مُهَاجِراً، وَلاَ فَاجِرٌ مُؤْمِناً»، وَإِسْنَادُهُ وَاهٍ.

**329.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Stand close together in your rows[1], bring them near one another, and stand neck to neck." [Reported by Abû Dâ'ud and An-Nasâ'i. And Ibn Hibbân graded it *Sahih* (sound)].

(٣٢٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «رُصُّوا صُفُوفَكُمْ، وَقَارِبُوا بَيْنَهَا، وَحَاذُوا بِالأَعْنَاقِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**330.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The best of the men's rows is the first and the worst is the last and the best of the women's rows is the last and the worst is the first." [Reported by Muslim].

(٣٣٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَيْرُ صُفُوفِ الرِّجَالِ أَوَّلُهَا، وَشَرُّهَا آخِرُهَا، وَخَيْرُ صُفُوفِ النِّسَاءِ آخِرُهَا، وَشَرُّهَا أَوَّلُهَا». رَوَاهُ مُسْلِمٌ.

---

[1] It is reported in *Sahihain* that the Prophet صلى الله عليه وسلم addressed people (with his face facing them) and directed them to straighten their rows or Allâh will create a discord within your hearts. The narrator tells us that he has observed people during congregational prayers to the effect that they used to join their ankles and arms close to each other. The Prophet صلى الله عليه وسلم has said swearing by Allâh the Almighty, that if the prayer rows become sparsely spread, he can visualise Satan therein. In addition to this, there are many *Ahadith* related to the proper decorum of the rows for the prayer.

331. Narrated Ibn 'Abbâs رضي الله عنهما: "I prayed the night prayer with Allâh's Messenger صلى الله عليه وسلم during one night and I stood on his left side, whereupon he took me by the back of my head[1] and made me go round to his right side. [Agreed upon].

(٣٣١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: صَلَّيْتُ مَعَ رَسُولِ اللهِ ﷺ ذَاتَ لَيْلَةٍ، فَقُمْتُ عَنْ يَسَارِهِ، فَأَخَذَ رَسُولُ اللهِ ﷺ بِرَأْسِي مِنْ وَرَائِي، فَجَعَلَنِي عَنْ يَمِينِهِ، مُتَّفَقٌ عَلَيْهِ.

332. Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم prayed and an orphan and I[2] prayed behind him and Umm Sulaim رضي الله عنها was behind us[3]. [Agreed upon and the version is of Al-Bukhâri].

(٣٣٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ، فَقُمْتُ أَنَا وَيَتِيمٌ خَلْفَهُ، وَأُمُّ سُلَيْمٍ خَلْفَنَا. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

333. Narrated Abû Bakra (رضي الله عنه): He came to the Prophet صلى الله عليه وسلم when he was bowing, so he bowed before joining the row and he mentioned that to the Prophet صلى الله عليه وسلم and the Prophet صلى الله عليه وسلم told him, "May Allâh increase your eagerness! But do not repeat[4]." [Reported by Al-Bukhâri]. And Abû Dâ'ud added: "He bowed before reaching the row then walked and joined the row."

(٣٣٣) وَعَنْ أَبِي بَكْرَةَ أَنَّهُ انْتَهَى إِلَى النَّبِيِّ ﷺ وَهُوَ رَاكِعٌ، فَرَكَعَ قَبْلَ أَنْ يَصِلَ إِلَى الصَّفِّ، ثم مشى إلى الصف وَذَكَرَ ذَلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ - لَهُ النَّبِيُّ ﷺ -: «**زَادَكَ اللَّهُ حِرْصاً، وَلاَ تَعُدْ**». رَوَاهُ الْبُخَارِيُّ، وَزَادَ أَبُو دَاوُدَ فِيهِ: «فَرَكَعَ دُونَ الصَّفِّ، ثُمَّ مَشَى إِلَى الصَّفِّ».

[1] The last row of men is bad since they have been deprived of the priority and benefit belonging to the first row. The hindermost row of women is better as they are farthest away from the possibility of mixing with men. in case it is all female gathering and the congregational prayer is also led by a woman, then the same ruling applies on them too (The first row of women then gets better than their last row, exactly similar to men).

[2] The rule is that the men should form a row first, then the children and then the women. In case there is only one adult and one child, both of them may stand together.

[3] A lone woman is allowed to pray behind a men's row in the absence of another woman to join her.

[4] May Allâh increase your avidity in performing virtuous deeds but the same should not exceed the limits.

**334.** Narrated Wâbisa bin Ma'bad[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم saw a man praying alone behind the row and he ordered him to repeat the *Salât* (prayer). [Reported by Ahmad, Abû Dâ'ud and At-Tirmidhi. The latter graded it *Hasan,* and Ibn Hibbân graded it *Sahih* (sound)].

(٣٣٤) وَعَنْ وَابِصَةَ بْنِ مَعْبَدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ رَأَى رَجُلاً يُصَلِّي خَلْفَ الصَّفِّ وَحْدَهُ، فَأَمَرَهُ أَنْ يُعِيدَ الصَّلاَةَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

Ibn Hibbân reported this from Talq (bin 'Ali رضي الله عنه): "The prayer of a person who prays alone behind the row is not accepted[2]". And At-Tabarâni added to the narration of Wâbisa, "Why did you not join them or pull back a man (to your position)?"

وَلَهُ عَنْ طَلْقٍ: لاَ صَلاَةَ لِمُنْفَرِدٍ خَلْفَ الصَّفِّ. وَزَادَ الطَّبَرَانِيُّ فِي حَدِيثِ وَابِصَةَ: أَلاَ دَخَلْتَ مَعَهُمْ أَوِ اجْتَرَرْتَ رَجُلاً؟

**335.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When you hear the *Iqâma,* walk to the prayer (place) with tranquillity and dignity and do not hurry up and whatever portion of the prayer you get[3] (along with the *Imâm*) offer it, and complete afterwards whatever you missed. [Agreed upon, and it is the Bukhâri's version].

(٣٣٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِذَا سَمِعْتُمُ الإِقَامَةَ فَامْشُوا إِلَى الصَّلاَةِ، وَعَلَيْكُمُ السَّكِينَةُ وَالوَقَارُ، وَلاَ تُسْرِعُوا، فَمَا أَدْرَكْتُمْ فَصَلُّوا، وَمَا فَاتَكُمْ فَأَتِمُّوا**»، مُتَّفَقٌ عَلَيْهِ. وَاللَّفْظُ لِلْبُخَارِيِّ.

**336.** Narrated 'Ubai bin Ka'b رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A man's prayer offered with

(٣٣٦) وَعَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**صَلاَةُ**

---

[1] He is an Ansâri from the clan of Asad bin Khuzaima. He was nicknamed Abû Qirsâfa. He first settled at Kûfa then moved to Al-Hîra and died about 90 H.

[2] Whether or not a lonely person behind a row qualifies for the prayer (whether his prayer could be recognised as valid), is a moot point, as there are differences in opinions concerning it. The fact is that one should not offer it by standing alone while a congregational prayer is in progress.

[3] The remainder of the prayer which one joins behind an *Imâm* in a congregation, whether it should be considered as a former part of the prayer or as a latter part of it, is again a moot point.

another man is purer than his prayer which he offers alone, and his prayer with two men is purer than his prayer with one and if there are more it is more pleasing to Allâh." [Reported by Abû Dâ'ud and An-Nasâ'i. And Ibn Hibbân graded it *Sahih*].

الرَّجُلِ مَعَ الرَّجُلِ أَزْكَى مِنْ صَلَاتِهِ وَحْدَهُ، وَصَلَاتُهُ مع الرَّجُلَيْنِ أزكى من صلاته مَعَ الرَّجُلِ، وَمَا كَانَ أَكْثَرُ فَهُوَ أَحَبُّ إِلَى اللهِ عَزَّ وَجَلَّ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**337.** Narrated Umm Waraqa[1] رضي الله عنها: The Prophet صلى الله عليه وسلم commanded her to lead the members of her household[2] (in prayer). [Reported by Abû Dâ'ud; Ibn Khûzaima graded it *Sahih*].

(٣٣٧) وَعَنْ أُمِّ وَرَقَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ أَمَرَهَا أَنْ تَؤُمَّ أَهْلَ دَارِهَا. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**338.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم appointed Ibn Umm Maktûm (رضي الله عنه) to lead the people in prayer in his absence and he (Ibn Umm Maktûm رضي الله عنه) was blind.[3] [Reported by Ahmad and Abû Dâ'ud]. Ibn Hibbân also reported it with the same version, narrated by 'Aisha (رضي الله عنها).

(٣٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ اسْتَخْلَفَ ابْنَ أُمِّ مَكْتُومٍ، يَؤُمُّ النَّاسَ وَهُوَ أَعْمَى. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَنَحْوُهُ لِابْنِ حِبَّانَ عَنْ عَائِشَةَ.

---

[1] She is Bint Naufal or Bint 'Abdullâh bin Al-Harith bin 'Uwaimr Al-Ansâriya. She compiled the Qur'ân and requested the Prophet صلى الله عليه وسلم to allow her to take part in the battle of Badr. The Prophet صلى الله عليه وسلم used to visit her and call her "the Martyr". She was killed by her male and female slaves who covered her with a sheet of clothe, thus suffocating her. They then ran away, but were caught and crucified by the orders of 'Umar رضي الله عنه.

[2] This *Hadith* states that it is permissible and proper for a woman to lead the prayer. It is a proven fact that 'Aisha and Umm Salma رضي الله عنهما did lead prayers. Imâm Shaukâni said that a woman, if leading a prayer, must not stand alone ahead of the row but should stand within it. If her followers include males also, then they should be none other than their *Mahram* (the persons so closely related to her that she cannot marry them). She cannot lead a prayer of a certain gathering that include either strangers or *Ghair Mahram* (the persons allowed to enter a marriage contract with her).

[3] This *Hadith* clarifies that a blind person can lead a prayer. Some scholars reluctantly approve of it, but this is against propriety. Some maintain that in the presence of a scholar who enjoys a perfect faculty of sight, it is improper to ask a blind scholar to lead a prayer, and this view is erroneous too. The Prophet صلى الله عليه وسلم deputed 'Abdullâh bin Umm Maktum رضي الله عنه in his absence to lead the prayer thirteen times.

**339.** Narrated Ibn 'Umar رضى الله عنهما: Allah's Messenger صلى الله عليه وسلم said, "Pray over him who said (believed): 'There is no God but Allâh'; and pray behind him who says: 'There is no God but Allâh'[1]." [Ad-Dâraqutni reported it through a weak chain of narrators].

(٣٣٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلُّوا عَلَى مَنْ قَالَ لاَ إِلَه إِلاَّ اللَّهُ، وصَلُّوا خَلْفَ مَنْ قَالَ لاَ إِلَه إِلاَّ اللَّهُ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**340.** Narrated 'Ali bin Abi Tâlib رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you comes to *Salât* (prayer) and the *Imâm* is at a certain position, he should do as the *Imâm* is doing." [Reported by At-Tirmidhi with a weak chain of narrators].

(٣٤٠) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدُكُمُ الصَّلاَةَ، وَالإِمَامُ عَلَى حَالٍ، فَلْيَصْنَعْ كَمَا يَصْنَعُ الإِمَامُ». رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ.

## Chapter 11
## THE PRAYER OF A TRAVELLER AND A PATIENT

## ١١ - بَابُ صَلاَةِ الْمُسَافِرِ وَالْمَرِيْضِ

**341.** Narrated 'Aisha رضى الله عنها that the *Salât* (prayer) was prescribed as consisting of two *Rak'at*[2] and was afterwards established as the prayer during travelling. And the prayer at the place of residence was completed. [Agreed upon].

(٣٤١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَوَّلُ مَا فُرِضَتِ الصَّلاَةُ رَكْعَتَانِ، فَأُقِرَّتْ صَلاَةُ السَّفَرِ، وَأُتِمَّتْ صَلاَةُ الْحَضَرِ. مُتَّفَقٌ عَلَيْهِ.

---

[1] The only point which is intended to bring into notice is that it is permissible to offer a prayer behind a praying person who neglects the offering of *Wâjibât*, but such a person must never be appointed an *Imâm* (i.e., such a person should never be assigned the duties to lead prayers.).

[2] This tells us that at first only two *Rak'at* were specified to be offered as an obligatory prayer (like a prayer during a travel). Later on, an addition was made in the prayer of residents; whereas the prayer of a traveller remained as it was, which is now known as *Rak'atain* (two *Rak'at*). It has not been approved by the chain of narrators that the Prophet صلى الله عليه وسلم offered full form of prayer during a travel.

In the version of Al-Bukhâri: 'When (Allâh's Messenger صلى الله عليه وسلم) emigrated it was prescribed as four, but prayer while travelling was left according to the original prescription.'

وَلِلْبُخَارِيِّ: ثُمَّ هَاجَرَ، فَفُرِضَتْ أَرْبَعاً، وَأُقِرَّتْ صَلَاةُ السَّفَرِ عَلَى الأَوَّلِ.

Ahmad added, 'Except the *Maghrib* (prayer) for it is the *Witr* (prayer) of the day; and as concerns *Fajr* (prayer), the recitation (of the Qur'ân) is prolonged in it.'

وَزَادَ أَحْمَدُ: إِلَّا الْمَغْرِبَ، فَإِنَّهَا وِتْرُ النَّهَارِ، وَإِلَّا الصُّبْحَ، فَإِنَّهَا تُطَوَّلُ فِيهَا الْقِرَاءَةُ.

**342.** Narrated 'Aisha رضي الله عنها: While on a journey, the Prophet صلى الله عليه وسلم used to shorten the prayer or offer it completely,[1] and to observe fast or to break it. [Ad-Dâraqutni reported it, and its narrators are reliable, but it is a defective *Hadîth*]. It is well-known about 'Aisha's deeds (that she رضي الله عنها offered prayers in the complete form during travelling) and she said, 'It is not hard for me.' [Al-Baihaqi reported it].[2]

(٣٤٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ يَقْصُرُ فِي السَّفَرِ وَيُتِمُّ، وَيَصُومُ وَيُفْطِرُ. رَوَاهُ الدَّارَقُطْنِيُّ، وَرُوَاتُه ثِقَاتٌ، إِلَّا أَنَّهُ مَعْلُولٌ، وَالْمَحْفُوظُ عَنْ عَائِشَةَ مِنْ فِعْلِهَا، وَقَالَتْ: إِنَّهُ لَا يَشُقُّ عَلَيَّ. أَخْرَجَهُ الْبَيْهَقِيُّ.

**343.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Allâh the Most High likes His permissions to be practiced just as he dislikes the disobedience[3] to Him to be committed." [Ahmad reported it.

(٣٤٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ يُحِبُّ أَنْ تُؤْتَى رُخَصُهُ، كَمَا يَكْرَهُ أَنْ تُؤْتَى مَعْصِيَتُهُ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ

[1] The chain of narrators concerning this *Hadith* includes 'Ala bin Zuhair, who in addition to having insubstantial, is also accused of being an untruthful person. Imâm Ibn Taimiyah maintains that there is nothing but a 'congeries of lie' about the Prophet صلى الله عليه وسلم. It is stated in *Sahihain* on the authority of 'Abdullâh bin 'Umar رضي الله عنهما that the Prophet صلى الله عليه وسلم never offered more than two *Rak'at* during the travel.

[2] This *Hadith* cannot be used as an evidence because in its chain of narrators is 'Alâ bin Zuhair who is not very reliable. It also contradicts the *Hadith* narrated by Ibn 'Umar رضي الله عنهما reported by Al-Bukhâri and Muslim to the effect that the Prophet صلى الله عليه وسلم never prayed more than two *Rak'at* of a four-*Rak'at* prayer.

[3] This *Hadith* tells us that it is a lot better to offer two-*Rak'at* prayer and performing the same in full is a violation.

Ibn Khuzaima and Ibn Hibbân graded it *Sahih* (sound)]. A version has, "As He likes His duties to be observed."

خُزَيْمَةَ وَابْنُ حِبَّانَ، وَفِي رِوَايَةٍ: «كَمَا يُحِبُّ أَنْ تُؤْتَى عَزَائِمُهُ».

**344.** Narrated Anas رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم went out on a journey of three miles[1] or three *Farasikh*[2], he (صلى الله عليه وسلم) used to pray two *Rak'at*. [Reported by Muslim].

(٣٤٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا خَرَجَ مَسِيرَةَ ثَلَاثَةِ أَمْيَالٍ، أَوْ ثَلَاثَةِ فَرَاسِخَ صَلَّى رَكْعَتَيْنِ. رَوَاهُ مُسْلِمٌ.

**345.** Narrated (Anas) رضي الله عنه: We went from Al-Madîna to Makka with Allâh's Messenger صلى الله عليه وسلم and he prayed two *Rak'at* at each time of prayer till we returned to Al-Madîna. [Agreed upon, and the version is of Al-Bukhâri].

(٣٤٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ مِنَ الْمَدِينَةِ إِلَى مَكَّةَ، فَكَانَ يُصَلِّي رَكْعَتَيْنِ رَكْعَتَيْنِ، حَتَّى رَجَعْنَا إِلَى الْمَدِينَةِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**346.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم (made a journey during which) he had a stop of nineteen days, in which he shortened his prayers. In another version of Al-Bukhâri: "(he صلى الله عليه وسلم stayed) Nineteen days in Makka." In the version of Abû Dâ'ud is:

(٣٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَقَامَ النَّبِيُّ ﷺ تِسْعَةَ عَشَرَ يَوْماً يَقْصُرُ وَفِي لَفْظٍ: «بِمَكَّةَ، تِسْعَةَ عَشَرَ يَوْماً». رَوَاهُ الْبُخَارِيُّ. وَفِي رِوَايَةٍ لِأَبِي دَاوُدَ: «سَبْعَ عَشْرَةَ». وَفِي أُخْرَى: «خَمْسَ عَشْرَةَ».

---

[1] A suspicion lurks in this *Hadîth* as to whether it is three miles or three *Farsakh*. The original *Hadîth* does not state it, but it is the doubt of the reporter of the chain of narrators, as to whether Anas رضي الله عنه used the words 'three miles' or 'three *Farsakh*'. We must know that in order to be eligible to offer 'a two-*Rak'at* prayer', no distance has been specified in any *Hadîth*, neigh this concession, like performing *Tayammum* (purification with soil) during the travel, has been kept wide open to the effect that it is permissible to offer a 'two-*Rak'at* prayer' during any travel at all.

It appears from the *Hadîth* that a 'three-mile travel' is indeed a travel, but as long as *Shu'ba* doubts it, the scholars have given a ruling that the distance should be three *Farsakh* (i.e., nine miles). Some scholars have specified 36 miles, some 48 miles whereas some other suggested 52 miles. The reference concerning 48 miles is better and stronger, as *Ahnâf* and the scholars of *Hadîth* accord their preference to it. But these are merely surmises and conjectures and are not substantiated by an evidence.

[2] *Farâsikh* (plural of *Farsakh*) is Persian unit of distance. *Farsakh* is equal to about three miles.

"seventeen days."[1] And in another version is "fifteen days."

وَلَهُ عَنْ عِمْرَانِ بْنِ حُصَيْنٍ: «ثَمَانِيَ عَشْرَةَ». وَلَهُ عَنْ جَابِرٍ: أَقَامَ بِتَبُوكَ عِشْرِينَ يَوْماً يَقْصُرُ الصَّلاَةَ. وَرُوَاتُهُ ثِقَاتٌ، إِلاَّ أَنَّهُ اخْتُلِفَ فِي وَصْلِهِ.

In the version of Abû Dâ'ud by 'Imrân bin Husain رضي الله عنهما is mentioned "eighteen days." Jâbir رضي الله عنه narrated that Allâh's Messenger صلى الله عليه وسلم stayed at Tabûk for twenty days, and he shortened the prayers (during his stay). [Reported by Abû Dâ'ud. Its narrators are reliable, but its origin has been disputed].

(٣٤٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا ارْتَحَلَ قَبْلَ أَنْ تَزِيغَ الشَّمْسُ، أَخَّرَ الظُّهْرَ إِلَى وَقْتِ الْعَصْرِ، ثُمَّ نَزَلَ فَجَمَعَ بَيْنَهُمَا، فَإِنْ زَاغَتِ الشَّمْسُ قَبْلَ أَنْ يَرْتَحِلَ صَلَّى الظُّهْرَ ثُمَّ رَكِبَ. مُتَّفَقٌ عَلَيْهِ.

**347.** Narrated Anas رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم (while on a journey) proceeded before the sun had declined from the centre of the sky, he (صلى الله عليه وسلم) delayed the *Zuhr* prayer till the time of the *'Asr* prayer; he (صلى الله عليه وسلم) would then alight and combine the two prayers. If the sun declined before he (صلى الله عليه وسلم) moved off, he (صلى الله عليه وسلم) would offer the *Zuhr* prayer and ride (the beast). [Agreed upon].

وَفِي رِوَايَةِ الْحَاكِمِ فِي الأَرْبَعِينَ بِالإِسْنَادِ الصَّحِيحِ: صَلَّى الظُّهْرَ وَالْعَصْرَ ثُمَّ رَكِبَ.

In the narration of Al-Hâkim quoted in the *Al-Arba'in* with a *Sahih Isnâd*, "He (صلى الله عليه وسلم) prayed *Zuhr* and *'Asr* then rode (his beast to continue his journey.)"

وَلأَبِي نُعَيْمٍ فِي مُسْتَخْرَجِ مُسْلِمٍ: كَانَ إِذَا كَانَ فِي سَفَرٍ فَزَالَتِ الشَّمْسُ صَلَّى الظُّهْرَ وَالْعَصْرَ جَمِيعاً، ثُمَّ ارْتَحَلَ.

Narrated Abû Nu'aim رضي الله عنه in the *Mustakhraj* of Muslim, "While on a journey, if the sun declined he (صلى الله عليه وسلم) used to pray *Zuhr* and *'Asr* together and then continue his journey."

(٣٤٨) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ

**348.** Narrated Mu'adh bin Jabal رضي الله عنه: We went out with Allâh's

---

[1] There is also a difference of opinion pertaining to the duration of the travel. Some have specified three days, the other eighteen. In fact it is only a misunderstanding. In case someone has to dwell at a certain place due to some excuse, no duration is specified in relation to it and he can go on praying 'two *Rak'at*' for years together.

تَعَالَى عَنْهُ قَالَ: خَرَجْنَا مَعَ النَّبِيِّ ﷺ فِي غَزْوَةِ تَبُوكَ، فَكَانَ يُصَلِّي الظُّهْرَ وَالْعَصْرَ جَمِيعاً. رَوَاهُ مُسْلِمٌ.

Messenger صلى الله عليه وسلم on the Tabûk expedition, and he offered *Zuhr* and *'Asr* prayers together[1] and *Maghrib* and *'Ishâ'* prayers together. [Reported by Muslim].

(٣٤٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَقْصُرُوا الصَّلاَةَ فِي أَقَلَّ مِنْ أَرْبَعَةِ بُرُدٍ، مِنْ مَكَّةَ إِلَى عُسْفَانَ». رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ، وَالصَّحِيحُ أَنَّهُ مَوقُوفٌ، كَذَا أَخْرَجَهُ ابْنُ خُزَيْمَةَ.

**349.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Do not shorten the prayer (while travelling) for a distance of less than four *Burud*[2]; from Makka to 'Usfân." [Ad-Dâraqutni reported it through a weak chain of narrators, and the right opinion is that it is *Mawqûf*. Ibn Khuzaima reported it as such].

(٣٥٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «خَيْرُ أُمَّتِي الَّذِين إِذَا أَسَاءُوا اسْتَغْفَرُوا، وَإِذَا سَافَرُوا قَصَرُوا وَأَفْطَرُوا». أَخْرَجَهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ ضَعِيفٍ، وَهُوَ فِي مَرَاسِيلِ سَعِيدِ بْنِ الْمُسَيَّبِ عِنْدَ الْبَيْهَقِيِّ مُخْتَصَراً.

**350.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The best of my followers are those who, having done evil, ask for forgiveness (from Allâh); and when on a journey, shorten the prayer and break the fast." [At-Tabarâni reported it in *Al-'Awsat* through a weak chain of narrators. Al-Baihaqi reported it in brief as a *Mursal* from Sa'îd bin Al-Musaiyab].

(٣٥١) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَتْ بِيَ بَوَاسِيرُ، فَسَأَلْتُ النَّبِيَّ ﷺ عَنِ الصَّلاةِ، فَقَالَ: «صَلِّ قَائِماً، فَإِنْ لَمْ تَسْتَطِعْ فَقَاعِداً، فَإِنْ لَمْ تَسْتَطِعْ فَعَلَى جَنْبٍ». رَوَاهُ الْبُخَارِيُّ.

**351.** Narrated 'Imrân bin Husain رضي الله عنهما: I had piles. So I asked the Prophet صلى الله عليه وسلم about the prayers. He said, "Pray standing and if you are unable (pray) sitting; and if you are unable (to pray) lying on your side." [Reported by Al-Bukhâri].

(٣٥٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

**352.** Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم visited a sick man

---

[1] This *Hadîth* tells us that it is permissible to join *Zuhr*, *'Asr*, *Maghrib* and *'Ishâ'* prayers during a travel, irrespective of the fact whether this joining is done at the time of the validity of a former prayer or the latter one. Both of these situations are proven ones by the actions and practice of the Prophet صلى الله عليه وسلم. The followers of the *Hanafi* school of thought do not approve of this practice which amounts to the negation of this *Hadîth*.

[2]. *Burud*: Plural of *Barid*, which means three *Farsakh*, and one *Farsakh* is equal to three miles.

and saw him praying on a cushion, he threw it away and said, "Pray on the ground, if you can, or else pray by gestures[1] and make your prostration lower than your bowing." [Al-Baihaqi reported it and Al-Hâtim graded it *Mawqûf*].

قَالَ: عَادَ النَّبِيُّ ﷺ مَرِيضاً، فَرَآه يُصَلِّي عَلَى وِسَادَةٍ فَرَمَى بِهَا، وَقَالَ: «صَلِّ عَلَى الأَرْضِ إِنِ اسْتَطَعْتَ، وَإِلاَّ فَأَوْمِ إِيمَاءً، وَاجْعَلْ سُجُودَكَ أَخْفَضَ مِنْ رُكُوعِكَ». رَوَاهُ الْبَيْهَقِيُّ، وَصَحَّحَ أَبُو حَاتِمٍ وَقْفَهُ.

**353.** Narrated 'Aisha رضي الله عنها: I saw the Prophet صلى الله عليه وسلم praying while sitted in a cross-legged position[2]. [Reported by An-Nasâ'i; and Al-Hâkim graded it sound].

(٣٥٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: رَأَيْتُ النَّبِيَّ ﷺ يُصَلِّي مُتَرَبِّعاً. رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

## Chapter 12
## *AL-JUMU'A*[3] PRAYER

## ١٢ - بَابُ صَلاَةِ الْجُمُعَةِ

**354.** Narrated 'Abdullâh bin 'Umar and Abû Huraira رضي الله عنهم: They heard Allâh's Messenger صلى الله عليه وسلم say on the planks of his pulpit: "People must cease to neglect the Friday prayers, or else Allâh will seal their hearts and then they will be among the unwary." [Reported by Muslim].

(٣٥٤) عَنْ عَبْدِ اللهِ بْنِ عُمَرَ، وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمْ، أَنَّهُمَا سَمِعَا رَسُولَ اللهِ ﷺ يَقُولُ عَلَى أَعْوَادِ مِنْبَرِهِ: «لَيَنْتَهِيَنَّ أَقْوَامٌ عَنْ وَدْعِهِمُ الْجُمُعَاتِ، أَوْ لَيَخْتِمَنَّ اللَّهُ عَلَى قُلُوبِهِمْ، ثُمَّ لَيَكُونُنَّ مِنَ الْغَافِلِينَ». رَوَاهُ مُسْلِمٌ.

**355.** Narrated Salâma[4] bin Al-Akwa' رضي الله عنه: We used to offer the Friday

(٣٥٥) وَعَنْ سَلَمَةَ بْنِ الأَكْوَعِ رَضِيَ

[1] In case one is not strong enough even to gesticulate, momentarily he gets exempted from the responsibility of offering it, but as soon as he recovers and gets his strength back, he must offer all of them as an obligation. If someone faints and is shocked senseless, he gets exempted from his prayers so long as he is out of his sense.

[2] The Prophet صلى الله عليه وسلم resorted to a sitting posture during a prayer due to a factual excuse. A *Hadith* states that the Prophet صلى الله عليه وسلم suffered from an abscess in his thigh and as long as one suffers from a disease or an injury, he can offer his prayers in whatever posture he can, without any binding. This is a boon from Allâh.

[3] The day of *Jumu'a* (Friday) was known as *Al-'Arûba* during *Jahiliya* times (the pre-Islâmic period). Islâm named it *Jumu'a* as the Muslims of a city gather at one place in congregation to offer prayers to Allâh the All-Mighty. In addition to this, there are a few other reasons also.

[4] He is Abû Muslim, Salama bin 'Amr bin Al-Akwa' Sinân bin 'Abdullah Al-Aslami Al-Madani. He was one of the bravest *Sahâba*, and used to run faster than a horse with his feet. He was good, pious and generous. He died at Al-Madina in 74H.

prayer with Allâh's Messenger صلى الله عليه وسلم and return (to our homes) while the walls had no shade[1] for us to go under (at that time)[2]. [Agreed upon. This is the version of Al-Bukhâri].

اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصَلِّي مَعَ رَسُولِ اللهِ ﷺ الْجُمُعَةَ، ثُمَّ نَنْصَرِفُ وَلَيْسَ لِلْحِيْطَانِ ظِلٌّ نَسْتَظِلُّ بِهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

And in the version of Muslim: "We used to offer the Friday prayers with him (Allâh's Messenger صلى الله عليه وسلم), when the sun passed the meridian, and we then returned and tried to find out the afternoon shadow.

وَفِي لَفْظٍ لِمُسْلِمٍ: كُنَّا نُجَمِّعُ مَعَهُ إِذَا زَالَتِ الشَّمْسُ، ثُمَّ نَرْجِعُ، نَتَتَبَّعُ الْفَيْءَ.

**356.** Narrated Sahl bin Sa'd[3] رضى الله عنه: We did not have a siesta or lunch till after the Friday prayer.[4] [Agreed upon; and it is the version of Muslim] In another version is: "during the life time of Allâh's Messenger صلى الله عليه وسلم."

(٣٥٦) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَا كُنَّا نَقِيلُ وَلاَ نَتَغَدَّى إِلاَّ بَعْدَ الْجُمُعَةِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَفِي رِوَايَةٍ: فِي عَهْدِ رَسُولِ اللهِ ﷺ.

**357.** Narrated Jâbir رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم was delivering the *Khutba* (religious talk, sermon) on Friday in a standing posture when a caravan from Syria arrived. The people flocked towards it till no one was left (with the Prophet صلى الله عليه وسلم)

(٣٥٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَخْطُبُ قَائِماً، فَجَاءَتْ عِيرٌ مِنَ الشَّامِ، فَانْفَتَلَ النَّاسُ إِلَيْهَا، حَتَّى لَمْ يَبْقَ إِلاَّ اثْنَا عَشَرَ رَجُلاً. رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadîth* clearly states that the Prophet صلى الله عليه وسلم used to end his *Jumu'a* prayer at a time while the shades of the walls were insufficient to cover the people i.e., the *Jumu'a* prayer must be performed at an early time.

[2] According to Imâm Ahmad bin Hanbal, it is permissible to start performing Friday's prayer before *Zawâl* (the declining of the sun). The rest of the *Imâm* and the majority of scholars observe that the Friday prayer must be performed immediately after *Zawâl*. During present times, it has become a practice to delay the *Jumu'a* prayer much more, even later than the *Zuhr* prayer itself, which is against the tradition of the Prophet صلى الله عليه وسلم.

[3] He is Abul-'Abbâs Al-Khazraji As-Sa'idi Al-Ansâri. He reported one hundred *Ahadîth* and died in 91 H. at the age of about hundred years. It is said that he is the last *Sahâbi* to die in Al-Madîna.

[4] It does not either mean that he used to perform Friday prayer even prior to the time of *Zawâl* (the declining of the sun). The Friday prayer supersedes the *Zuhr* prayer and as long as it involves a *Khutba* (religious sermon), it is imperative that it be performed rather hurriedly so that the prayer gets completed within the earlier part of the *Zuhr*.

except twelve men. [Reported by Muslim].

**358.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone is in time for a *Rak'a* of the Friday prayer or any other prayer[1] he should add another (*Rak'a)* to it and his prayer will then be complete."[2] An-Nasâ'i, Ibn Mâjah and Ad-Dâraqutni reported it; the version is of Ad-Dâraqutni. Its chain of narrators is sound, but Al-Hâtim confirmed it as *Mursal*].

(٣٥٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ أَدْرَكَ رَكْعَةً مِنْ صَلَاةِ الْجُمُعَةِ وَغَيْرِهَا فَلْيُضِفْ إِلَيْهَا أُخْرَى، وَقَدْ تَمَّتْ صَلَاتُهُ**». رَوَاهُ النَّسَائِيُّ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَاللَّفْظُ لَهُ، وَإِسْنَادُهُ صَحِيحٌ، لَكِنْ قَوَّى أَبُو حَاتِمٍ إِرْسَالَهُ.

**359.** Narrated Jâbir bin Samura رضي الله عنه: The Prophet صلى الله عليه وسلم used to deliver the *Khutba* (religious talk, sermon) while standing.[3] He (صلى الله عليه وسلم) would then sit down and then stand up and address in a standing posture; and whoever informs you that he (the Prophet صلى الله عليه وسلم) delivered the *Khutba* (religious talk, sermon) while sitting told a lie. [Reported by Muslim].

(٣٥٩) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَخْطُبُ قَائِماً، ثُمَّ يَجْلِسُ، ثُمَّ يَقُومُ فَيَخْطُبُ قَائِماً، فَمَنْ أَنْبَأَكَ أَنَّهُ كَانَ يَخْطُبُ جَالِساً فَقَدْ كَذَبَ. أَخْرَجَهُ مُسْلِمٌ.

**360.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Whenever Allâh's Messenger صلى الله عليه وسلم delivered a *Khutba* (religious talk), his eyes would

(٣٦٠) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا خَطَبَ احْمَرَّتْ عَيْنَاهُ، وَعَلَا صَوْتُهُ، وَاشْتَدَّ

[1] The narration which is ascribed to Abû Huraira in *Sahihain*, does not specify and single out Friday prayer, it is only a generalisation in relation to all the prayers. As long as one could pursue one *Rak'a* with *Imâm*, he accrues the reward of congregation to his credit. The same holds true in relation to Friday prayers also. Then one may stand up and complete the remainder of his prayer.

[2] This *Hadith* refutes the view of those who maintain that unless one listens to a part of the *Khutba* (religious talk), his Friday prayer is not acceptable.

[3] This *Hadith* informs us that the Prophet صلى الله عليه وسلم used to address people (deliver *Khutba*) in a standing posture. It further informs us that during a Friday prayer, delivering a *Khutba* in two parts is in accordance with *Sunna* and that a brief sitting in between the said parts also conforms to the tradition of the Prophet صلى الله عليه وسلم and a violation of any of the above is regarded as an innovation.

become red, his voice rose[1] and his anger become violent, as if he (صلى الله عليه وسلم) was like one warning an army and saying, "The enemy has made a morning attack on you. The enemy has made an evening attack on you." He (صلى الله عليه وسلم) would also say, "*Amma ba'du*,[2] the best of speech is embodied in the Book of Allâh, and the best of guidance is the guidance of Muhammad. And what renders affairs most evil are their innovations and all innovations are delusion."[3] [Reported by Muslim].

غَضَبُهُ، حَتَّى كَأَنَّهُ مُنْذِرُ جَيْشٍ يَقُولُ: «صَبَّحَكُمْ وَمَسَّاكُمْ»، وَيَقُولُ: «أَمَّا بَعْدُ، فَإِنَّ خَيْرَ الحَدِيثِ كِتَابُ اللهِ، وَخَيْرَ الهَدْيِ هَدْيُ مُحَمَّدٍ، وشَرَّ الأُمُورِ مُحْدَثَاتُهَا، وَكُلَّ بِدْعَةٍ ضَلالَةٌ». رَوَاهُ مُسْلِمٌ.

And in the version of Muslim: "It was the Prophet's *Khutba* on Friday. He was to praise Allâh and afterward tell it. Indeed his voice was raised."

وَفِي رِوَايَةٍ لَهُ: كَانَتْ خُطْبَةُ النَّبِيِّ ﷺ يَومَ الْجُمُعَةِ: يَحْمَدُ اللَّهَ، وَيُثْنِي عَلَيْهِ، ثُمَّ يَقُولُ عَلَى إِثْرِ ذَلِكَ، وَقَدْ عَلاَ صَوْتُهُ.

And in another version of Muslim: "Whom Allâh guides, no one can get astray; and whom Allâh gets astray, no one can guide him," and in the version of An-Nasâ'i: "All the error is a cause to enter the Fire."

وَفِي رِوَايَةٍ لَهُ: «مَنْ يَهْدِ اللَّهُ فَلاَ مُضِلَّ لَهُ، وَمَنْ يُضْلِلْ فَلاَ هَادِيَ لَهُ». وَلِلنَّسَائِيِّ: «وَكُلُّ ضَلاَلَةٍ فِي النَّارِ».

**361.** Narrated 'Ammâr bin Yâsir رضي الله عنه: He heard Allâh's Messenger صلى الله عليه وسلم say, "The length of a man's prayer and the shortness of his *Khutba* (religious talk) are a sign of

(٣٦١) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ طُولَ صَلاَةِ الرَّجُلِ وَقِصَرَ خُطْبَتِهِ مَئِنَّةٌ مِنْ فِقْهِهِ». رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadith* enjoins upon us that the *Khutba* should be delivered loudly (i.e., with a higher pitch of sound) and it should represent such a style which may be effective enough to move the audience.

[2] An opening phrase for Islamic speeches meaning "to proceed".

[3] *Bid'a* (innovation), according to *Shari'a* (Divine law) stands for any action, deed or performance which is neither established nor authenticated either by the Qur'ân or *Sunna* nor is derived or deduced from it. The words كل بدعة (all innovations) allude to the fact that no innovation upholds any goodness. For details, refer to the book *Al-I'tisâm* of Ash-Shatibi.

his understanding[1] (of the religion)." [Reported by Muslim].

**362.** Umm Hisham[2] رضي الله عنها daughter of Haritha said, "I learnt *Sûrat Qâf*[3] from no other source than the tongue of Allâh's Messenger صلى الله عليه وسلم who used to recite it every Friday on the pulpit[4] when he delivered *Khutba* (religious talk) to the people." [Reported by Muslim].

(٣٦٢) وَعَنْ أُمِّ هِشَامٍ بِنْتِ حَارِثَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: مَا أَخَذْتُ ﴿قٓ وَالْقُرْآنِ الْمَجِيدِ﴾ إِلاَّ عَنْ لِّسَانِ رَسُولِ اللهِ ﷺ، يَقْرَأُهَا كُلَّ جُمُعَةٍ عَلَى الْمِنْبَرِ إِذَا خَطَبَ النَّاسَ. رَوَاهُ مُسْلِمٌ.

**363.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Whoever speaks on Friday while the *Imâm* is giving the *Khutba* (religious talk), he is like a donkey which carries books[5] and he who tells him to be quiet has no *Jumu'a*[6]." [Reported by Ahmad].

(٣٦٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ تَكَلَّمَ يَوْمَ الْجُمُعَةِ: وَالإِمَامُ يَخْطُبُ، فَهُوَ كَمَثَلِ الْحِمَارِ يَحْمِلُ أَسْفَاراً، وَالَّذِي يَقُولُ لَهُ: أَنْصِتْ، لَيْسَتْ لَهُ جُمُعَةٌ». رَوَاهُ أَحْمَدُ بِإِسْنَادٍ لاَ بَأْسَ بِهِ.

This *Hadîth* interprets the *Marfu' Hadîth* of Abu Huraira reported in the

[1] This tells us that one should lengthen the prayer and shorten the *Khutba*. Some of the *Khateeb* (the *Imâm* who lead the Friday prayers and conduct and deliver *Khutba*) during the present times lengthen their *Khutba* to such an extent that it encroaches upon the actual prayer time and then they try to finish the prayer in a hurried manner. This practice is against the tradition of the Prophet صلى الله عليه وسلم.

[2] She is Umm Hishâm bint Hâritha bin Nu'mân, maternal sister of 'Umra bint 'Abdur-Rahmân. She is *Ansâriya* from the Najjar clan. It is said that she participated in *Bai'at-ur-Ridwân*.

[3] *Sûrat* No. 50.

[4] It is an inculcation upon us that while addressing people prior to conducting a Friday prayer, one should recite the Qur'ân and interpret its meanings to the people.

[5] Such a person resembles a donkey (i.e., a beast of burden) in that it derives no benefit out of carrying a loadful of books onto its back. Similarly this person does not accrue any reward to his credit out of performing a Friday prayer.

[6] It is worth noticing that the Prophet صلى الله عليه وسلم never said that his prayer will not be accepted, but he is deprived of the reward of a Friday prayer. Hence the scholars have stated by deducing from it that whoever engages himself in a conversation, shall indeed get the reward of a prayer but shall be deprived of the reward associated with the Friday prayer.

*Sahihain*: On Friday, when the *Imâm* is delivering the *Khutba* (religious talk), if you say to your companion to keep quiet, then indeed you have committed the sin (error).

وَهُوَ يُفَسِّرُ حَدِيثَ أَبِي هُرَيْرَةَ فِي الصَّحِيحَيْنِ مَرْفُوعاً: «إِذَا قُلْتَ لِصَاحِبِكَ: أَنْصِتْ، يَوْمَ الْجُمُعَةِ، وَالإِمَامُ يَخْطُبُ، فَقَدْ لَغَوْتَ».

**364.** Narrated Jâbir رضي الله عنه: A man entered the mosque on a Friday when the Prophet صلى الله عليه وسلم was delivering the *Khutba* (religious talk, sermon) and he (the Prophet صلى الله عليه وسلم) said, "Have you prayed? He replied, "No." He (the Prophet صلى الله عليه وسلم) said, "Stand and pray two *Rak'at*.[1]" [Agreed upon].

(٣٦٤) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: دَخَلَ رَجُلٌ يَوْمَ الْجُمُعَةِ، وَالنَّبِيُّ ﷺ يَخْطُبُ، فَقَالَ: «صَلَّيْتَ»؟ قَالَ: لاَ، قَالَ: «قُمْ فَصَلِّ رَكْعَتَيْنِ». مُتَّفَقٌ عَلَيْهِ.

**365.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم used to recite in *Jumu'a* prayer *Sûrat Al-Jumu'a*[2] and *Al-Munafiqûn*[3]. [Reported by Muslim].

(٣٦٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يَقْرَأُ فِي صَلاَةِ الْجُمُعَةِ سُورَةَ الْجُمُعَةِ وَالْمُنَافِقِينَ. رَوَاهُ مُسْلِمٌ.

Narrated Nu'mân bin Bashir[4] (رضي الله عنهما): He (Allâh's Messenger صلى الله عليه وسلم) used to recite in the two *'Eid* and in the Friday prayer[5]: *"Sabbih isma Rabbikal-A'la*[6]*"* and "*Hal atâka*

وَلَهُ عَنِ النُّعْمَانِ بْنِ بَشِيرٍ كَانَ يَقْرَأُ فِي الْعِيدَيْنِ وَفِي الْجُمُعَةِ «بِسَبِّحِ اسْمَ رَبِّكَ الأَعْلَى» «وَهَلْ أَتَاكَ حَدِيثُ الْغَاشِيَةِ».

[1] The narration of Bukhâri comprises the word خفيفتين *Khafifatain*, after ركعتين *Rak'atain*, which means that he should offer the two light ones such as to economise time to the maximum to listen to the *Khutba*.

[2] *Sûrat* No. 62.

[3] *Sûrat* No. 63.

[4] He is Abû 'Abdullah Al-Ansâri Al-Madani, and was the first *Ansâri* child to be born after the *Hijra* of the Prophet صلى الله عليه وسلم. He was born in the fourteenth month of the *Hijra*. He settled in Shâm and later became the governor of Kufa and then Hims. Khalid bin Khali Al-Kilâ'i killed him on Râhit day in the year 64 H.

[5] Among these *Sûrah* he used to recite different ones on different occasions.

[6] *Sûrat Al-A'la*. No.87.

*hadîthul ghâshiyah*[1]". [Reported by Muslim].

**366.** Narrated Zaid bin Arqam رضي الله عنه: The Prophet صلى الله عليه وسلم prayed the '*Eid* prayer (on a Friday); and granted a permission regarding the praying of Friday prayer and said, "If anyone wants to pray it, he may pray."[2] [Reported by *Al-Khamsa* excluding At-Tirmidhi. Ibn Khuzaima graded it *Sahih*].

(٣٦٦) وَعَنْ زَيْدِ بْنِ أَرْقَمَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى النَّبِيُّ ﷺ الْعِيدَ، ثُمَّ رَخَّصَ فِي الْجُمُعَةِ، فَقَالَ: «مَنْ شَاءَ أَنْ يُصَلِّيَ فَلْيُصَلِّ». رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**367.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When anyone of you prays the *Jumu'a* prayer, he should pray four optional *Rak'at* afterwards."[3] [Reported by Muslim].

(٣٦٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا صَلَّى أَحَدُكُمُ الْجُمُعَةَ فَلْيُصَلِّ بَعْدَهَا أَرْبَعاً». رَوَاهُ مُسْلِمٌ.

**368.** Narrated As-Sâib bin Yazid[4] (رضي الله عنه) that Mu'âwiya رضي الله عنه told him, "If you offer the Friday prayer do not connect it with another prayer unless you talk or go out. Allâh's Messenger صلى الله عليه وسلم had commanded us that we should not connect a prayer to another prayer unless we talk or go out[5] (in between them)." [Reported by Muslim]

(٣٦٨) وَعَنِ السَّائِبِ بْنِ يَزِيدَ أَنَّ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ لَهُ: إِذَا صَلَّيْتَ الْجُمُعَةَ فَلاَ تَصِلْهَا بِصَلاَةٍ حَتَّى تَتَكَلَّمَ أَوْ تَخْرُجَ، فَإِنَّ رَسُولَ اللهِ ﷺ أَمَرَنَا بِذَلِكَ: أَنْ لاَ نُوصِلَ صَلاَةً بِصَلاَةٍ حَتَّى نَتَكَلَّمَ أَوْ نَخْرُجَ. رَوَاهُ مُسْلِمٌ.

---

[1] *Sûrat Al-Ghâshiyah*. No. 88.

[2] This comprises an evidence that in case *'Eid* falls on Friday, it is not obligatory to perform the Friday prayer but it is advisably better to perform it.

[3] There is difference in opinion as to how many *Rak'at* one should offer as *Sunna* after the Friday prayer. Some recognise it to be just two *Rak'at*, whereas the others prefer to offer four. Imâm Shâfi'i, Imâm Ahmad and the majority of the scholars are of the same opinion and this is the most preferable. The *Hadîth* of four *Rak'at*, is a saying of the Prophet صلى الله عليه وسلم himself and one should indeed act upon it accordingly.

[4] He is Abû Yazid Al-Kindi. He was born in the year 2 H. and attended *Hajjat-ul-Wadâ'* with his father. He died in 80 H.

[5] This *Hadîth* tells us that in case someone offers a certain prayer at a certain place, he should not offer another prayer at the same place and at the same time. There must be a distance in between the two prayers either by way of a change in the place or by way of

**369.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who takes a bath and then comes to *Al-Jumu'a* prayer and then prays what was fixed for him,[1] then keeps silent till the *Imâm* finishes the *Khutba* (religious talk — sermon), and then prays along with him, his sins (committed) between that time and the next Friday will be forgiven and with an addition of three days more."[2] [Reported by Muslim].

(٣٦٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنِ اغْتَسَلَ، ثُمَّ أَتَى الجُمُعَةَ، فَصَلَّى مَا قُدِّرَ لَهُ، ثُمَّ أَنْصَتَ حَتَّى يَفْرُغَ الإِمَامُ مِنْ خُطْبَتِهِ، ثُمَّ يُصَلِّي مَعَهُ، غُفِرَ لَهُ مَا بَيْنَهُ وَبَيْنَ الجُمُعَةِ الأُخْرَى، وَفَضْلُ ثَلاثَةِ أَيَّامٍ». رَوَاهُ مُسْلِمٌ.

**370.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم mentioned the day of *Jumu'a* then said, "There is a time in it (Friday) at which no Muslim would stand up while praying and beg Allâh, Who is Great and Glorious, for something but He would give it to him;[3] and he (صلى الله عليه وسلم) pointed with his hand that it (this time) is short." [Agreed upon]. and in the version of Muslim is: "this time is little."

(٣٧٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ ذَكَرَ يَوْمَ الْجُمُعَةِ، فَقَالَ: «فِيهِ سَاعَةٌ لاَ يُوَافِقُهَا عَبْدٌ مُسْلِمٌ، وَهُوَ قَائِمٌ يُصَلِّيْ يَسْأَلُ اللَّهَ عَزَّ وَجَلَّ شَيْئاً، إِلاَّ أَعْطَاهُ إِيَّاهُ». وَأَشَارَ بِيَدِهِ يُقَلِّلُهَا. مُتَّفَقٌ عَلَيْهِ. وَفِيْ رِوَايَةٍ لِمُسْلِمٍ: «وَهِيَ سَاعَةٌ خَفِيْفَةٌ».

---

*Dhikr* (the recitation of the Qur'ân, mentioning Allâh's Names or the utterance of different prescribed supplications). The well-intended motive behind it is that either his record of actions and deeds either must reflect that he has offered his prayers in as many a place or the same must prove that he has offered it as many a times.

[1] There is no specified limit to the number of *Nawâfil* (voluntary prayers) one can offer while waiting for the Friday prayer, likewise there is no specified time limit either. But as the other *Hadîth* clearly states that there is no prohibition on the offering of *Nafl* (voluntary prayer) on Friday even at the very time of *Zawâl*.

[2] Taking a bath on Friday is an act of *Sunna* (supererogatory) according to majority of scholars, which is correct. Some observe it as *Wâjib* (compulsory)

[3] There is a certain time recurring on Friday in which a Muslim's invocation is definitely accepted. Ther Prophet صلى الله عليه وسلم has not specified any particular moment for it. This moment has also been kept secret, similar to *Lailat-ul-Qadr* (the Night of Decree), so that the people spend more time looking for it, and accrue more reward to their account. There are two popular quotations related to it. The first one advocates that this opportune moment occurs in between *'Asr* and sunset. The second one postulates that such a moment occurs while *Imâm* delivers his *Khutba* to the public. Muslims ought to look for it during both of these timings.

**371.** Narrated Abû Burda رضي الله عنه from his father's authority: I heard Allâh's Messenger صلى الله عليه وسلم say, "That time is between the time when the *Imâm* sits down and the end of the prayer." [Reported by Muslim]. And *Ad-Darâqutni* preponderate it as the saying of Abu Burda.

(٣٧١) وَعَنْ أَبِي بُرْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ أَبِيهِ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «**هِيَ مَا بَيْنَ أَنْ يَجْلِسَ الْإِمَامُ إِلَى أَنْ تُقْضَى الصَّلَاةُ**». رَوَاهُ مُسْلِمٌ، وَرَجَّحَ الدَّارَقُطْنِيُّ أَنَّهُ مِنْ قَوْلِ أَبِي بُرْدَةَ.

Ibn Mâjah reported this from 'Abdullâh bin Salâm; but Abû Dâ'ud and An-Nasâ'i reported it from Jâbir: "It is between the time of the *'Asr* prayer and the sunset."

وَفِي حَدِيثِ عَبْدِ اللهِ بْنِ سَلَامٍ عِنْدَ ابْنِ مَاجَهْ، وَجَابِرٍ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ: أَنَّهَا مَا بَيْنَ صَلَاةِ الْعَصْرِ إِلَى غُرُوبِ الشَّمْسِ.

More than forty different sayings were narrated about this special fortune time on Friday, and I have detailed them in my book '*Sharh Al-Bukhâri*'.

وَقَدِ اخْتُلِفَ فِيهَا عَلَى أَكْثَرَ مِنْ أَرْبَعِينَ قَوْلاً أَمْلَيْتُهَا فِي شَرْحِ الْبُخَارِيِّ.

**372.** Narrated Jâbir رضي الله عنه: It pertains to the *Sunna*[1] that the Friday prayer holds when forty praying persons or more attend it. [Ad-Dâraqutni reported it through a weak chain of narrators.[2]]

(٣٧٢) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَضَتِ السُّنَّةُ أَنَّ فِي كُلِّ أَرْبَعِينَ فَصَاعِداً جُمُعَةً. رَوَاهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**373.** Narrated Samura bin Jundub رضي الله عنه: The Prophet صلى الله عليه وسلم used to ask for (Allâh's) forgiveness for the believers, men and women, during every Friday (prayer's sermon).

(٣٧٣) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَسْتَغْفِرُ لِلْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ فِي كُلِّ جُمُعَةٍ. رَوَاهُ

[1] The question as to how many people should gather at a certain place such as to necessitate the obligation of offering a Friday prayer, is also a mooted one among the scholars. Different people have mentioned the numbers – three, four, seven, nine, twelve, twenty, forty, fifty and seventy. The fact is that no such number is reported to be envisaged by any *Hadith*. Both a congregational prayer and a Friday prayer stand valid even if there are just two persons to offer these. This *Hadith* which states the number is a weak one. It is reported in a *Hadith* that the first and foremost Friday prayer in Islam was conducted in the village Juwathâ.

[2] This *Hadith* has been reported by 'Abdul 'Aziz bin 'Abdur-Rahmân whose *Ahadîth* have been described by *Hadith* scholars as 'false', 'fabricated' and himself as 'unreliable'. Therefore this condition for *Al-Jumu'a* prayer does not hold. It is reported in a *Hadith* that the first and foremost Friday prayer in Islâm was conducted in the village Juwatha.

[Al-Bazzâr reported it through a feeble chain of narrators].

البَزَّارُ بِإِسْنَادٍ لَيِّنٍ.

**374.** Narrated Jâbir bin Samura رضى الله عنه: The Prophet صلى الله عليه وسلم used to recite some verses from the Qurâ'n, in the Friday *Khutba* (religious talk —sermon), preaching[1] the people. [Abû Dâ'ud reported it and its origin is in Muslim's *Sahih*].

(٣٧٤) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ فِي الْخُطْبَةِ يَقْرَأُ آيَاتٍ مِّنَ الْقُرْآنِ، يُذَكِّرُ النَّاسَ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُهُ فِي مُسْلِمٍ.

**375.** Narrated Târiq bin Shihâb[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The Friday prayer in a congregation is an obligatory duty upon every Muslim, with the exception of four: a slave, a woman, a boy and an invalid (sick)." [Reported by Abû Dâ'ud, who said that Târiq did not hear from the Prophet صلى الله عليه وسلم. Al-Hâkim also reported it from the aforementioned Tariq's report which he narrated from Abû Mûsa].

(٣٧٥) وَعَنْ طَارِقِ بْنِ شِهَابٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**الْجُمُعَةُ حَقٌّ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ فِي جَمَاعَةٍ، إِلاَّ عَلَى أَرْبَعَةٍ: مَمْلُوكٌ، وَامْرَأَةٌ وصبيٌّ ومَرِيضٌ**» رواه أبو داود وقال: لَمْ يَسْمَعْ طَارِقٌ مِّنَ النَّبِيِّ ﷺ، وَأَخْرَجَهُ الْحَاكِمُ مِنْ رِوَايَةِ طَارِقٍ الْمَذْكُورِ عَنْ أَبِي مُوسَى.

**376.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "*Jumu'a* prayer is not obligatory on a traveller."[3] [Reported by At-Tabarâni through a weak chain of narrators].

(٣٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَيْسَ عَلَى مُسَافِرٍ جُمُعَةٌ**». رَوَاهُ الطَّبَرَانِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**377.** Narrated 'Abdullâh bin Mas'ûd رضى الله عنه: Whenever Allâh's Messenger صلى الله عليه وسلم sat down on the pulpit we used to face him." [At-Tirmidhi

(٣٧٧) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا اسْتَوَى عَلَى الْمِنْبَرِ، اسْتَقْبَلْنَاهُ بِوُجُوهِنَا.

---

[1] He used to instruct people about the fundamentals of Islâm, indispensable essentials of religion; and try to dissuade them from the garish charm of this world and persuade them towards the life of the Hereafter.

[2] He is an Ahmusi, a Bajali, a Kufi and lived long both in the *Jahiliya* and Islâmic eras. He saw the Prophet صلى الله عليه وسلم but did not hear a *Hadîth* from him. He took part in 33 or 34 military expeditions during the caliphate of Abu Bakr and 'Umar. He died in 82 H.

[3] All these *Ahâdith* go to explain that there are six kinds of people upon whom the Friday prayer is not obligatory, these are: slaves, women, children, travellers, sick persons and the nomads. Two more categories, i.e., the blind and the lame are mentioned in the Qur'ân. If they perform the Friday prayer, they shall be exempted from praying the noon prayer.

reported it through a weak chain of narrators].

رَوَاهُ التِّرْمِذِيُّ بِإِسْنَادٍ ضَعِيفٍ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ الْبَرَاءِ عِنْدَ ابْنِ خُزَيْمَةَ.

**378.** Narrated Al-Hakam bin Hazn[1] رضي الله عنه: We attended the Friday prayer with the Prophet صلى الله عليه وسلم and he (صلى الله عليه وسلم) stood leaning on a staff or a bow.[2] [Reported by Abû Dâ'ud].

(٣٧٨) وَعَنِ الْحَكَمِ بْنِ حَزْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْنَا الْجُمُعَةَ مَعَ النَّبِيِّ ﷺ، فَقَامَ مُتَوَكِّئاً عَلَى عَصاً أَوْ قَوْسٍ. رَوَاهُ أَبُو دَاوُدَ.

## Chapter 13
## *SALAT-UL-KHAUF*
## (PRAYER IN TIME OF FEAR)

## ١٣ - بَابُ صَلَاةِ الْخَوْفِ

**379.** Narrated Salih bin Khawwât[3] on the authority of one who offered the Fear prayer with Allâh's Messenger صلى الله عليه وسلم at the battle of *Dhât-ur-Riqâ'*[4] that a section (of the army) formed a line along with him and a section faced the enemy. He (صلى الله عليه وسلم) led the section which was along with him in a *Rak'a*, then remained standing while they finished their prayer by themselves. They then departed and drew up in line facing the enemy, and the other party came, he led them in the remaining *Rak'a* of his prayer, after which he remained seated while they finished their prayer by themselves. He then led them in uttering

(٣٧٩) عَنْ صَالِحِ بْنِ خَوَّاتٍ رَضِيَ اللَّهُ عَنْهُ عَمَّنْ صَلَّى مَعَ النَّبِيِّ ﷺ يَوْمَ ذَاتِ الرِّقَاعِ صَلَاةَ الْخَوْفِ: أَنَّ طَائِفَةً صَفَّتْ مَعَهُ، وَطَائِفَةً وِجَاهَ الْعَدُوِّ، فَصَلَّى بِالَّذِينَ مَعَهُ رَكْعَةً، ثُمَّ ثَبَتَ قَائِماً، وَأَتَمُّوا لِأَنْفُسِهِمْ، ثُمَّ انْصَرَفُوا، فَصَفُّوا وِجَاهَ الْعَدُوِّ، وَجَاءَتِ الطَّائِفَةُ الْأُخْرَى، فَصَلَّى بِهِمُ الرَّكْعَةَ الَّتِي بَقِيَتْ، ثُمَّ ثَبَتَ جَالِساً، وَأَتَمُّوا لِأَنْفُسِهِمْ، ثُمَّ سَلَّمَ بِهِمْ. مُتَّفَقٌ عَلَيْهِ. وَهَذَا لَفْظُ مُسْلِمٍ. وَوَقَعَ فِي الْمَعْرِفَةِ لِابْنِ مَنْدَه: عَنْ صَالِحِ بْنِ خَوَّاتٍ، عَنْ أَبِيهِ.

---

[1] Al-Hakam bin Hazn bin Abu Wahab Al-Makhzumi became a Muslim during the year of the conquest of Makka and thus attended a *Jumu'a* with the Prophet صلى الله عليه وسلم.

[2] This confirms that a person, while delivering the *Khutba* may take the support of some object to avoid tiredness from a lengthy standing position.

[3] He is Sâlih bin Khawwât bin Jubair bin An-Nu'mân Al-Ansâri Al-Madani. He was one of the prominent *Sahâba* and his *Ahadith* are very authentic.

[4] *Dhât-ur-Riqa'* may be translated as 'the one having stripes'. Muslims were suffering from an extreme poverty, they were bare-footed without shoes. When their feet blistered, they wrapped them with rags and tattered clothes. Thus this battle came to be known as *Dhât-ur-Riqa'*.

the *Taslîm* (salutation)[1]. [Agreed upon]; and this version is of Muslim.

**380.** Narrated Ibn 'Umar رضي الله عنهما: I went on an expedition with Allâh's Messenger صلى الله عليه وسلم to Najd[2], and when we came in front of the enemy we drew up in line facing them. Allâh's Messenger صلى الله عليه وسلم then stood up and led us in prayer, and one section stood up along with him while the other faced the enemy. He prayed a *Rak'a* with those who were with him and made two prostrations, and then they changed places with those who had not prayed. When they came Allâh's Messenger صلى الله عليه وسلم prayed a *Rak'a* with them and made two prostrations, then he uttered the *Taslîm* (salutation) and each of them got up and left, after which he prayed a *Rak'a* alone and made two prostrations.[3] [Agreed upon, and this is the version of Al-Bukhâri].

(٣٨٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: غَزَوْتُ مَعَ رَسُولِ اللهِ ﷺ قِبَلَ نَجْدٍ فَوَازَيْنَا الْعَدُوَّ، فَصَافَفْنَاهُمْ، فَقَامَ رَسُولُ اللهِ ﷺ، فَصَلَّى بِنَا، فَقَامَتْ طَائِفَةٌ مَعَهُ، وَأَقْبَلَتْ طَائِفَةٌ عَلَى الْعَدُوِّ، وَرَكَعَ بِمَنْ مَعَهُ، وَسَجَدَ سَجْدَتَيْنِ، ثُمَّ انْصَرَفُوا مَكَانَ الطَّائِفَةِ الَّتِي لَمْ تُصَلِّ، فَجَاءُوا، فَرَكَعَ بِهِمْ رَكْعَةً، وَسَجَدَ سَجْدَتَيْنِ، ثُمَّ سَلَّمَ فَقَامَ كُلُّ وَاحِدٍ مِنْهُمْ، فَرَكَعَ لِنَفْسِهِ رَكْعَةً وَسَجَدَ سَجْدَتَيْنِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**381.** Narrated Jâbir رضي الله عنه: I witnessed *Salât-al-Khauf* with

(٣٨١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

---

[1] This *Hadîth* states that the Prophet صلى الله عليه وسلم led a prayer consisting of two *Rak'at* and a second *Hadîth* states that he led two prayers consisting of two *Rak'at* each to two different groups of fighters. In as much as the leading of two prayers is mentioned, there is no difference of opinion regarding it. The crux of the matter is that during such a 'prayer of fear', the war-tactics have been taken into consideration. Different methods of praying are authentically proven to have been adopted by the Prophet صلى الله عليه وسلم.

Ibn Hazam has referred to fourteen different methods (styles) of praying depending on what a certain situation calls for. Sometimes a lengthy prayer and sometimes a short one. Sometimes with one manner and sometime with another. The name of the Companion of the Prophet صلى الله عليه وسلم to whom this *Hadîth* has been narrated, is not mentioned. According to another reference, his name has been stated as Sahl bin Abî Hathma.

[2] Najd is the name of that part of the Arabian Peninsula where highlands and hills are situated.

[3] It appears from this *Hadîth* that the Prophet صلى الله عليه وسلم led one *Rak'a* each to two different groups while each group offered the other *Rak'a* by itself. Apparently, this situation coincides with the Qur'ân.

قَالَ: شَهِدْتُ مَعَ رَسُولِ اللهِ ﷺ صَلاةَ الْخَوْفِ، فَصَفَفْنَا صَفَّيْنِ، صَفٌّ خَلْفَ رَسُولِ اللهِ ﷺ، وَالعَدُوُّ بَيْنَنَا وَبَيْنَ الْقِبْلَةِ، فَكَبَّرَ النَّبِيُّ ﷺ، وَكَبَّرْنَا جَمِيعاً، ثُمَّ رَكَعَ، وَرَكَعْنَا جَمِيعاً، ثُمَّ رَفَعَ رَأْسَهُ مِنَ الرُّكُوعِ، وَرَفَعْنَا جَمِيعاً، ثُمَّ انْحَدَرَ بِالسُّجُودِ، وَالصَّفُّ الَّذِي يَلِيهِ، وَقَامَ الصَّفُّ الْمُؤَخَّرُ فِي نَحْرِ الْعَدُوِّ، فَلَمَّا قَضَى السُّجُودَ قَامَ الصَّفُّ الَّذِيْ يَلِيْهِ، فَذَكَرَ الْحَدِيْثَ.

وَفِيْ رِوَايَةٍ: ثُمَّ سَجَدَ، وَسَجَدَ مَعَهُ الصَّفُّ الأَوَّلُ، فَلَمَّا قَامُوْا سَجَدَ الصَّفُّ الثَّانِيْ، ثُمَّ تَأَخَّرَ الصَّفُّ الأَوَّلُ، وَتَقَدَّمَ الصَّفُّ الثَّانِيْ، وَذَكَرَ مِثْلَهُ، وَفِي آخِرِهِ: ثُمَّ سَلَّمَ النَّبِيُّ ﷺ، وَسَلَّمْنَا جَمِيعاً. رَوَاهُ مُسْلِمٌ. وَلأَبِيْ دَاوُدَ عَنْ أَبِي عَيَّاشٍ الزُّرَقِيِّ مِثْلَهُ، وَزَادَ: إِنَّهَا كَانَتْ بِعُسْفَانَ.

Allâh's Messenger صلى الله عليه وسلم and we drew up in two rows behind him with the enemy between us and the *Qiblah*. The Prophet صلى الله عليه وسلم uttered the *Takbîr* and we all uttered it; then he bowed and we all bowed; then he raised his head after bowing and we all raised ours; then he and the row next to him went down in prostration while the rear row stood facing the enemy; then when Allâh's Messenger صلى الله عليه وسلم finished the prostration and the row next to him stood up, the rear row went down in prostration; then they stood up; then the rear row went to the front and the front row to the rear; then the Prophet صلى الله عليه وسلم bowed and we all bowed; then he raised his head after bowing and we all raised ours; then he and the row next to him which had been in the rear in the first *Rak'a* went down in prostration while the rear row stood up facing the enemy; then when the Prophet صلى الله عليه وسلم and the row next to him finished the prostration the rear row went down and prostrated; then the Prophet صلى الله عليه وسلم uttered the *Taslîm* (salutation) and we all did so.[1] [Reported by Muslim].

Narrated Abû 'Aiyâsh Az-Zuraqi[2] (رضي الله عنه) the same in Abû Dâ'ud, and he added: "it was in Usfân."[3]

[1] The nature of this *Hadîth* apparently seems to be contrary to the Qur'ânic verse, but the Fear prayer (*Salât-al-Khauf*) has been performed in different modes keeping in view the gravity of differing circumstances. *Salât-al-Khauf* is two *Rak'at* for the *Imâm*. According to Nasâ'i, it is mentioned in a *Hadîth* narrated by Jâbir رضي الله عنه that the Prophet صلى الله عليه وسلم led two *Rak'at* each to each of the two groups. In this situation, the *Imâm* prayed four *Rak'at*, out of which two of them are his *Fard* and the rest of the two are his *Nafl*.

[2] His name is Zaid bin Thâbit who is an Ansâri and a Zurâqi. A group of Muslims report *Hadîth* from him and he died after 40 H.

In a different version, An-Nasâ'i reported this narration from (Jâbir رضي الله عنه): "The Prophet صلى الله عليه وسلم led a section of his Companions in two *Rak'at* after which he uttered the *Taslîm* (salutation); then he led another section in two *Rak'at* after which he uttered the *Taslîm* (salutation)." Another version of Abû Dâ'ud by Abû Bakra (رضي الله عنه) has the same.

وَلِلنَّسَائِيِّ مِنْ وَجْهٍ آخَرَ عَنْ جَابِرٍ، أَنَّ النَّبِيَّ ﷺ صَلَّى بِطَائِفَةٍ مِّنْ أَصْحَابِهِ رَكْعَتَيْنِ، ثُمَّ سَلَّمَ، ثُمَّ صَلَّى بِآخَرِينَ أَيْضاً رَكْعَتَيْنِ، ثُمَّ سَلَّمَ. وَمِثْلُهُ لِأَبِي دَاوُدَ عَنْ أَبِي بَكْرَةَ.

**382.** Narrated Hudhaifa رضي الله عنه: The Prophet صلى الله عليه وسلم led our section in one *Rak'a* and the other section in one *Rak'a*, and they did not make up for the second *Rak'a*. [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i; Ibn Hibbân graded it *Sahih*]. The version of Ibn Khuzaima by 'Abdullah bin 'Abbâs رضي الله عنهما is the same.

(٣٨٢) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى صَلَاةَ الْخَوْفِ بِهٰؤُلَاءِ رَكْعَةً، وَهٰؤُلَاءِ رَكْعَةً، وَلَمْ يَقْضُوا. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَمِثْلُهُ عِنْدَ ابْنِ خُزَيْمَةَ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

**383.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The prayer in time of danger is one *Rak'a*, in whatever posture it is."[1] [Al-Bazzâr reported it through a weak chain of narrators].

(٣٨٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلَاةُ الْخَوْفِ رَكْعَةٌ عَلَى أَيِّ وَجْهٍ كَانَ». رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

**384.** Narrated (Ibn 'Umar) رضي الله عنهما this *Hadîth*, tracing it back to the Prophet صلى الله عليه وسلم: "No forgetfulness is due for the prayer in time of danger." [Ad-Dâraqutni reported it through a weak chain of narrators].

(٣٨٤) وَعَنْهُ مَرْفُوعاً: لَيْسَ فِي صَلَاةِ الْخَوْفِ سَهْوٌ. أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

---

[3] Usfân is a name of a place which is located at a distance of two *Manzil* (about two-days journey) from Makka.

[1] From this *Hadîth* some people deduce and conclude that there is one *Rak'a* each, both on the follower and *Imâm*. Hence Sufyân also follows the same view.

## Chapter 14
## THE PRAYERS OF THE TWO 'EID[1] (FESTIVALS)

## ١٤ - بَابُ صَلَاةِ الْعِيدَيْنِ

**385.** Narrated 'Aisha رضـي اللـه عنهـا: Allâh's Messenger صلى الله عليه وسلم said, "(*'Eid) Al-Fitr* is the day on which the people break the fast, and (*'Eid) Al-Adha* is the day they offer sacrifices."[2] [Reported by At-Tirmidhi].

(٣٨٥) عَنْ عائِشَةَ رَضِيَ اللَّهُ تَعالَى عَنْها قالَتْ: قالَ رَسُولُ اللهِ ﷺ: «الْفِطْرُ يَوْمَ يُفْطِرُ النَّاسُ، وَالْأَضْحى يَوْمَ يُضَحِّي النَّاسُ». رَواهُ التِّرْمِذِيُّ.

**386.** Narrated Abû 'Umair bin Anas bin Mâlik[3] (رضي الله عنه) on the authority of some of his paternal uncles who were among the Companions, that some men came riding and testified that they had seen the new moon the previous day. The Prophet صلى الله عليه وسلم therefore commanded the people to break the fast and go out to their place of prayer in the morning.[4] [Reported by Ahmad and Abû Dâ'ud. This is

(٣٨٦) وَعَنْ أَبِي عُمَيْرِ بْنِ أَنَسٍ، عَنْ عُمُومَةٍ لَهُ مِنَ الصَّحابَةِ، أَنَّ رَكْباً جاءُوا، فَشَهِدُوا أَنَّهُمْ رَأَوُا الْهِلالَ بِالْأَمْسِ، فَأَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يُفْطِرُوا، وَإِذا أَصْبَحُوا أَنْ يَغْدُوا إِلَى مُصَلَّاهُمْ. رَواهُ أَحْمَدُ وَأَبُو داوُدَ، وَهَذا لَفْظُهُ، وَإِسْنادُهُ صَحِيحٌ.

---

[1] The prayer of *'Eidain* (two *'Eid*) is *Sunnat Mu'akkada* (offered regularly by the Prophet صلى الله عليه وسلم — hence a definite *Sunna*). Some scholars observe it as *Fard Kifaya* (a collective duty — an obligation which, if performed by one person, suffices for the rest, as it does not have to be performed essentially by all), whereas some of them maintain that it is *Fard 'Ain* (an individual duty — an obligation essentially to be performed by each individual). The first observation sounds more preferable.

[2] This *Hadith* implies that in order to observe *'Eid-ul-Fitr* and *'Eid-ul-Adha* prayers, it is necessary to acquire people's unanimous approval. If someone sights the crescent of Shawwâl and the people do not believe him, he can neither break his fast nor can be celebrate *'Eid* alone. Similarly he can neither offer a sacrifice nor offer a prayer on the other *'Eid*. He can do so only on the condition that the rest of the people participate in it.

[3] His name is 'Abdullâh bin Anas bin Mâlik Al-Ansâri and he was the eldest of Anas' children. He was a reliable of the 4th grade and was one of the young *Tâbi'in*. He lived for a long time after his father.

[4] This clarifies that in case the moon is not sighted on the 29th of Ramadân, but the next day an authentic news concerning the confirmed sighting of the moon arrives that the same has been sighted at such and such place, the fasting should be broken in general then and there. If the confirmation arrives prior to *Zawâl* time (decline of the sun), *'Eid* prayer should be offered the same day. If the same is confirmed after *Zawâl* time, it should be offered the following day.

Abû Dâ'ud's version and its *Isnâd* are sound].

**387.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used not to go out on the day of the breaking of the fast till he eats some dates. [Al-Bukhâri reported it]. A *Mu'allaq* (suspended) version but connected by Ahmad has: "and he used to eat an odd number."

(٣٨٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ لاَ يَغْدُو يومَ الفِطْرِ حَتَّى يَأْكُلَ تَمَرَاتٍ. يأْكُلُهُنَّ وِتْرَاتٍ. أَخْرَجَهُ الْبُخَارِيُّ، وَفِيْ رِوَايَةٍ مُعَلَّقَةٍ - وَوَصَلَهَا أَحْمَدُ -: (وَيَأْكُلُهُنَّ إِفْرَاداً).

**388.** Narrated Ibn Buraida on the authority of his father: Allâh's Messenger صلى الله عليه وسلم used not to go out on the day of breaking of the fast till he had some food, but he used not to take any food on the day of sacrifice[1] till he had prayed. [Reported by Ahmad and At-Tirmidhi; Ibn Hibbân graded it *Sahih* (sound)].

(٣٨٨) وَعَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيْهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ لاَ يَخْرُجُ يَوْمَ الْفِطْرِ حَتَّى يَطْعَمَ، وَلاَ يَطْعَمُ يَوْمَ الأَضْحى حَتَّى يُصَلِّيَ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**389.** Narrated Umm 'Atiya رضي الله عنها: We were commanded[2] to bring out on *'Eid-ul-Fitr* and *'Eid-ul-Adha*, the young women and the menstruating women to participate in the goodness and supplications of the Muslims but the menstruating women would refrain from prayers.[3] [Agreed upon].

(٣٨٩) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أُمِرْنَا أَنْ نُخْرِجَ الْعَوَاتِقَ والْحُيَّضَ فِيْ الْعِيْدَيْنِ، يَشْهَدْنَ الْخَيْرَ وَدَعْوَةَ الْمُسْلِمِيْنَ، وَتَعْتَزِلُ الْحُيَّضُ الْمُصَلَّى. مُتَّفَقٌ عَلَيْهِ.

---

[1] This *Hadîth* informs us that it is in accordance with *Sunna* to eat something before *'Eid-ul-Fitr* prayer, and after *'Eid-ul-Adha* prayer. No particular food is recommended, but keeping in view the tradition of the Prophet صلى الله عليه وسلم dates are preferable.

[2] This *Hadîth* tells us that it is preferable to women to go to *Musalla-al-'Eid* (praying place for offering *'Eid* prayer) and pray there along with men. Such a preferance is given to them so that they too may participate in supplication and its concomitant blessings.

[3] Some people interpret this *Hadîth* maintaining the view that it was allowed during the early days of Islâm so that the volume of the Muslim populace may appear to be seemingly abundant but the permission for the women to come out was revoked later on. But to answer their argument effectively, it is sufficient to quote a *Hadîth* narrated by 'Abdullâh bin 'Abbâs رضي الله عنهما which states that even after the conquest of Makka, he has seen the women-folk going to the *Musalla-al-'Eid*.

**390.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم, Abû Bakr and 'Umar (رضي الله عنهما) used to offer the '*Eid* prayer before *Khutba* (religious talk — sermon).[1] [Agreed upon].

(٣٩٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ وَأَبُو بَكْرٍ وَعُمَرُ يُصَلُّونَ الْعِيدَيْنِ قَبْلَ الْخُطْبَةِ. مُتَّفَقٌ عَلَيْهِ.

**391.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم offered two *Rak'at*[2] on the day of '*Eid*, and did not pray before or after them.[3] [Reported by *As-Sab'a*].

(٣٩١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ صَلَّى يَوْمَ الْعِيدِ رَكْعَتَيْنِ، لَمْ يُصَلِّ قَبْلَهُما وَلَا بَعْدَهُمَا. أَخْرَجَهُ السَّبْعَةُ.

**392.** Narrated (Ibn 'Abbâs) رضي الله عنهما: The Prophet صلى الله عليه وسلم offered the '*Eid* prayer without an *Adhân* or an *Iqâma*. [Reported by Abû Dâ'ud; and its origin is in Al-Bukhâri].

(٣٩٢) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ صَلَّى الْعِيدَ بِلَا أَذَانٍ وَلَا إِقَامَةٍ. أَخْرَجَهُ أَبُو دَاوُدَ وَأَصْلُهُ فِي الْبُخَارِيِّ.

**393.** Narrated Abû Sa'îd رضي الله عنه: The Prophet صلى الله عليه وسلم never used to offer any prayer before the '*Eid* prayer, but when he went back home, he used to pray two *Rak'at*. [Reported by Ibn Mâjah through a good chain of narrators].

(٣٩٣) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ لَا يُصَلِّي قَبْلَ الْعِيدِ شَيْئاً، فَإِذَا رَجَعَ إِلَى مَنْزِلِهِ صَلَّى رَكْعَتَيْنِ. رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ.

**394.** Narrated (Abû Sa'îd) رضي الله عنه: The Prophet صلى الله عليه وسلم used to go out on the day of the breaking of the fast and the day of sacrifice to the place of prayer, and the first thing he would start with was the prayer, when he finished he would stand facing the people who were seated in their rows,

(٣٩٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَخْرُجُ يَوْمَ الْفِطْرِ وَالْأَضْحَى إِلَى الْمُصَلَّى، وَأَوَّلُ شَيْءٍ يَبْدَأُ بِهِ الصَّلَاةُ، ثُمَّ يَنْصَرِفُ، فَيَقُومُ مُقَابِلَ النَّاسِ – وَالنَّاسُ عَلَى صُفُوفِهِمْ – فَيَعِظُهُمْ وَيَأْمُرُهُمْ. مُتَّفَقٌ عَلَيْهِ.

---

[1] According to *Sunna*, *Khutba* is to be delivered after the prayer, and there is no difference of opinion about it. During the era of Bani Umaiya, Marwân brought an innovation into effect that the *Khutba* should precede the prayer, but this practice has no value in Islâm.

[2] If a person fails to join the *'Eid* prayer behind the *Imâm*, it is advisable for him to offer four *Rak'at* alone. (Refer to *Fath-ul-'Allâm*).

[3] No *Nafl* (voluntary prayer) be offered before or after *'Eid* prayer in the *Musalla* (*'Eid* praying place). However, back at home, it is permissible for him to offer the same.

he would then preach them and command them. [Agreed upon].

**395.** Narrated 'Amr bin Shu'aib from his father on the authority of his grand father: The Prophet صلى الله عليه وسلم said, "The *Takbîr* in (*'Eid*) *Al-Fitr* prayer are seven in the first *Rak'a*[1] and five in the second, and the recitation of the Qur'ân in both is after the *Takbîr*." [Reported by Abû Dâ'ud; At-Tirmidhi took its authentication from Al-Bukhâri].

(٣٩٥) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ نَبِيُّ اللهِ ﷺ: «التَّكْبِيرُ فِي الْفِطْرِ سَبْعٌ فِي الْأُولَى، وَخَمْسٌ فِي الْأُخْرَى، وَالْقِرَاءَةُ بَعْدَهُمَا كِلْتَيْهِمَا». أَخْرَجَهُ أَبُو دَاوُدَ، وَنَقَلَ التِّرْمِذِيُّ عَنِ الْبُخَارِيِّ تَصْحِيحَهُ.

**396.** Narrated Abû Wâqid Al-Laithi رضى الله عنه: The Prophet صلى الله عليه وسلم used to recite on (*'Eid*) *Al-Adha* and (*'Eid*) *Al-Fitr, Sûrat Qâf* (No. 50) and *Sûrat Al-Qamar* (No. 54) [Reported by Muslim].

(٣٩٦) وَعَنْ أَبِي وَاقِدٍ اللَّيْثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَقْرَأُ فِي الْأَضْحَى وَالْفِطْرِ بِـ «ق، وَاقْتَرَبَتْ». أَخْرَجَهُ مُسْلِمٌ.

**397.** Narrated Jâbir رضى الله عنه: On an *'Eid* day, Allâh's Messenger صلى الله عليه وسلم would return by a different road[2] from the one he had taken when going out (for the *'Eid* prayer.) [Reported by Al-Bukhâri]. Reported Abû Dâ'ud the same by Ibn 'Umar (رضى الله عنهما) in another version.

(٣٩٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا كَانَ يَوْمُ الْعِيدِ خَالَفَ الطَّرِيقَ. أَخْرَجَهُ الْبُخَارِيُّ، وَلِأَبِي دَاوُدَ عَنِ ابْنِ عُمَرَ نَحْوُهُ.

**398.** Narrated Anas رضى الله عنه that when Allah's Messenger صلى الله عليه وسلم came to Al-Madîna, the people had two days on which they engaged in

(٣٩٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَدِمَ رَسُولُ اللهِ ﷺ الْمَدِينَةَ، وَلَهُمْ

[1] There is a difference of opinion among scholars about ten reportings related to the number of *Takbirât-ul-'Eidain* and their situations, the more correct manner among them is the one mentioned in this *Hadîth*. Some people act upon the *Hadîth* narrated by Ibn Mas'ûd رضى الله عنه in which besides *Tabkîr Iftitah* and *Takbîr Ruku'*, there are six extra *Takbirât*, three of which are to be pronounced in the first *Rak'a* prior to the recitation and the remaining three in the second *Rak'a* after the recitation. In the matter of correctness and propriety, the *Hadîth* narrated by Ibn Mas'ûd stands nowhere.

[2] That is, while going to *Mussala-al-'Eid*, he adopted a certain route, but while coming back from there, he chose a different one, for the reason that different places may testify the worship and the splendour of Islâm may become prominent.

games. He (صلى الله عليه وسلم) said, "Allâh has substituted for you something better than them: the day of sacrifice and the day of breaking the fast." [Reported by Abû Dâ'ud and An-Nasâ'i; with a *Sahih Isnâd*].

يَوْمَانِ يَلْعَبُونَ فِيهِمَا، فَقَالَ: قَدْ أَبْدَلَكُمُ اللَّهُ بِهِمَا خَيْراً مِّنْهُمَا: يَوْمَ الأَضْحَى، وَيَوْمَ الْفِطْرِ. أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ بِإِسْنَادٍ صَحِيحٍ.

**399.** Narrated 'Ali رضي الله عنه: It is *Sunna* to go to the *'Eid* (prayer) on foot. [Reported by At-Tirmidhi who graded it *Hasan*].

(٣٩٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مِنَ السُّنَّةِ أَنْ يَخْرُجَ إِلَى الْعِيدِ مَاشِياً. رَوَاهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

**400.** Narrated Abû Huraira رضي الله عنه: It rained on an *'Eid* day, so the Prophet صلى الله عليه وسلم led them (the people) in the *'Eid* prayer in the mosque.[1] [Reported by Abû Dâ'ud with a *Laiyin* (weak) *Isnâd*].

(٤٠٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُمْ أَصَابَهُمْ مَطَرٌ فِي يَوْمِ عِيدٍ، فَصَلَّى بِهِمُ النَّبِيُّ ﷺ صَلاَةَ الْعِيدِ فِي الْمَسْجِدِ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ لَيِّنٍ.

## Chapter 15
## *SALAT AL-KUSUF*[2]
## (PRAYER AT AN ECLIPSE)

## ١٥ - بَابُ صَلاَةِ الْكُسُوفِ

**401.** Narrated Mughira bin Shu'ba رضي الله عنه: That there was a solar eclipse in the time of Allâh's Messenger صلى الله عليه وسلم on the day his son Ibrâhim[3] died, and the people said, "The eclipse of the sun has happened due to the death of Ibrâhim." Allâh's Messenger صلى الله عليه وسلم said, "The sun and the moon are two of Allâh's signs; they are not eclipsed due to

(٤٠١) عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: انْكَسَفَتِ الشَّمْسُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ يَوْمَ مَاتَ إِبْرَاهِيمُ، فَقَالَ النَّاسُ: انْكَسَفَتِ الشَّمْسُ لِمَوْتِ إِبْرَاهِيمَ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الشَّمْسَ وَالْقَمَرَ آيَتَانِ مِنْ آيَاتِ اللهِ، لاَ يَنْكَسِفَانِ لِمَوْتِ

[1] This *Hadîth* clarifies that in case it becomes difficult to perform a prayer i *Musalla-al-'Eid*, due to an excuse, it is permissible to perform the same in a mosque.

[2] The meaning of the words *Kusûf* and *Khusûf* (the solar and lunar eclipse) is "to become changed". The word *Khusûf* usually implies on a lunar eclipse, whereas *Kusûf* alludes to a solar one, but these are also used contrariwise.

[3] His mother was Maria, the Egyptian a former slave-wife of Allâh's Messenger صلى الله عليه وسلم given to him as a gift by Al-Muqawqis the ruler of Alexandria and Egypt. Ibrâhim was born in Jumada-al-Ula 9 H. and died on 29 Shawwâl 11 H. at the age of 18 months. He was buried at Al-Baqi' and he (صلى الله عليه وسلم) said, "He has someone to complete his suckling period in Paradise."

neither the life nor the death[1] of anyone. So when you see them (the eclipse of the moon or sun) glorify and supplicate to Allâh and offer prayers until the eclipse is over.[2]" [Agreed upon]. In the version of Al-Bukhâri it is: "till it becomes bright."

أَحَدٍ وَلاَ لِحَيَاتِهِ، فَإِذَا رَأَيْتُمُوهُمَا فَادْعُوا اللَّهَ وَصَلُّوا، حَتَّى تَنْكَشِفَ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «حَتَّى تَنْجَلِيَ».

In the version of Al-Bukhâri narrated by Abû Bakra (رضى الله عنه): "Pray and invoke (Allâh) till what is overwhelming you is over."

وَلِلْبُخَارِيِّ مِنْ حَدِيثِ أَبِي بَكْرَةَ: «فَصَلُّوا، وَادْعُوا، حَتَّى يَنْكَشِفَ مَا بِكُمْ».

**402.** Narrated 'Aisha رضى الله عنها: Allâh's Messenger صلى الله عليه وسلم recited from the Qur'ân in a loud voice[3] in the prayer at an eclipse, and prayed two *Rak'at* in which he bowed four times[4] and prostrated four times." [Agreed upon. This is the version of Muslim]. In another version of Muslim: "He (صلى الله عليه وسلم) sent an announcer to announce: Come to a congregational prayer."[5]

(٤٠٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ جَهَرَ فِي صَلاَةِ الْكُسُوفِ بِقِرَاءَتِهِ، فَصَلَّى أَرْبَعَ رَكَعَاتٍ، فِي رَكْعَتَيْنِ وَأَرْبَعَ سَجَدَاتٍ. مُتَّفَقٌ عَلَيْهِ، وَهَذَا لَفْظُ مُسْلِمٍ. وَفِي رِوَايَةٍ لَهُ: فَبَعَثَ مُنَادِياً يُنَادِي «الصَّلاَةُ جَامِعَةٌ».

**403.** Narrated Ibn 'Abbâs رضى الله عنهما: There was an eclipse of the sun in the time of Allâh's Messenger صلى الله عليه وسلم

(٤٠٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: انْخَسَفَتِ الشَّمْسُ عَلَى

---

[1] In the days of *Jahiliya* (pre-Islâmic period), people used to believe that whenever a person of eminence is either born or passes away, a solar or lunar eclipse takes place. The Prophet صلى الله عليه وسلم refuted this idea.

[2] This prayer is unanimously regarded as *Sunna*. It consists of two *Rak'at*, with two *Ruku'* (bowing) in each *Rak'a*. As this prayer has been instructed to be offered at the sighting of an eclipse, majority of the scholars have maintained it to be performed even during those hours which are normally avoided for the praying purpose. Furthermore, there are various other modes also related to the offering of this prayer but they are all faulty.

[3] Whether the lunar and solar Eclipse prayers be offered in a loud voice or a subdued one is again a mooted point, but offering with a loud voice is proved from a *Marfu'* (traceable) *Hadîth*.

[4] Contrary to other prayers, this prayer is with two *Ruku'* (bowings) in each *Rak'a*.

[5] According to the sound *Hadîth* calling for any other prayer except the Eclipse prayer is not approved.

and then he prayed and stood for a long time, about as long as it would take to recite *Sûrat Al-Baqarah*, then he bowed for a long time; then he raised his head and stood for a long time; but was less than the first time; then he prostrated; then he stood for a long time; but for less than the first time; then he bowed for a long time, but less than the first bowing; then he raised his head; then he prostrated; then he finished, and the sun had become bright. He then delivered a *Khutba* (religious talk, sermon).[1] [Agreed upon]. And it is the version of Al-Bukhâri.

In another version of Muslim is: "When there was an eclipse of the sun, (Allâh's Messenger صلى الله عليه وسلم) prayed eight *Raku'* in four prostrations."

In another version of Muslim narrated by 'Ali رضي الله عنه is the same.

Narrated Jâbir رضي الله عنه: "He (Allâh's Messenger صلى الله عليه وسلم) prayed with six *Ruku'* (bowings) and four *Sajda* (prostrations)."

Narrated Ubai bin Ka'b رضي الله عنه: "He (the Prophet صلى الله عليه وسلم) prayed and bowed five times and prostrated twice and in the second *Rak'a* he also did the same." [Abu Dâ'ud]

**404.** Narrated Ibn 'Abbâs رضي الله عنهما: No wind ever blew without the Prophet صلى الله عليه وسلم getting down on his knees and saying, "O Allâh, make

عَهْدِ رَسُولِ اللهِ ﷺ فَصَلَّى، فَقَامَ قِيَاماً طَوِيْلاً نَحْواً مِّنْ قِرَاءَةِ سُورَةِ الْبَقَرَةِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيْلاً، ثُمَّ رَفَعَ، فَقَامَ قِيَاماً طَوِيْلاً، وَهُوَ دُوْنَ الْقِيَامِ الأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيْلاً، وَهُوَ دُونَ الرُّكُوعِ الأَوَّلِ، ثُمَّ سَجَدَ، ثُمَّ قَامَ قِيَاماً طَوِيْلاً، وَهُوَ دُوْنَ الْقِيَامِ الأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيْلاً، وَهُوَ دُوْنَ الرُّكُوعِ الأَوَّلِ، ثُمَّ رَفَعَ، فَقَامَ قِيَاماً طَوِيْلاً، وَهُوَ دُونَ الْقِيَامِ الأَوَّلِ، ثُمَّ رَكَعَ رُكُوعاً طَوِيْلاً، وَهُوَ دُونَ الرُّكُوعِ الأَوَّلِ، ثُمَّ رَفَعَ رَأْسَهُ، ثُمَّ سَجَدَ، ثُمَّ انْصَرَفَ، وَقَدْ انْجَلَتِ الشَّمْسُ، فَخَطَبَ النَّاسَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

وَفِي رِوَايَةٍ لِمُسْلِمٍ: صَلَّى حِيْنَ كَسَفَتِ الشَّمْسُ ثَمَانِيَ رَكَعَاتٍ فِي أَرْبَعِ سَجَدَاتٍ.

وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلُ ذَلِكَ.

وَلَهُ عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: صَلَّى سِتَّ رَكَعَاتٍ بِأَرْبَعِ سَجَدَاتٍ.

وَلِأَبِي دَاوُدَ عَنْ أُبَيِّ بْنِ كَعْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: صَلَّى، فَرَكَعَ خَمْسَ رَكَعَاتٍ، وَسَجَدَ سَجْدَتَيْنِ، وَفَعَلَ فِي الثَّانِيَةِ مِثْلَ ذَلِكَ.

(٤٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا هَبَّتِ الرِّيحُ قَطُّ، إِلاَّ جَثَا النَّبِيُّ ﷺ عَلَى رُكْبَتَيْهِ، وَقَالَ: «**اللَّهُمَّ اجْعَلْهَا**

[1] It is known from this *Hadîth* that *Khutba* (religious talk, sermon) is also delivered with the Eclipse prayer.

it a mercy and do not make it a punishment." [Reported by Ash-Shâfi'i and At-Tabarâni].

رَحْمَةً، وَلاَ تَجْعَلْهَا عَذاباً». رَوَاهُ الشَّافِعِيُّ وَالطَّبَرَانِيُّ.

**405.** Narrated (Ibn 'Abbâs) رضي الله عنهما: He (the Prophet صلى الله عليه وسلم) prayed during an earthquake six *Ruku'* and four *Sajda*, and said, "This is the way the Prayer of the Signs[1] (صلاة الآيات) is offered." [Reported by Al-Baihaqi, and Ash-Shâfi'i reported a similar *Hadîth* without its end through 'Ali bin Abû Talib رضي الله عنه].

(٤٠٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ صَلَّى فِي زَلْزَلَةٍ سِتَّ رَكَعَاتٍ، وَأَرْبَعَ سَجَدَاتٍ، وَقَالَ: هٰكَذَا صَلاَةُ الآيَاتِ. رَوَاهُ الْبَيْهَقِيُّ، وَذَكَرَ الشَّافِعِيُّ عَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلَه، دُونَ آخِرِهِ.

## Chapter 16
## *SALAT-UL-ISTISQA*[2]
## (PRAYER FOR RAIN)

## ١٦ - بَابُ صَلاَةِ الاسْتِسْقَاءِ

**406.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم went out (to pray for rain) wearing rough clothes, with a humble and lowly manner, making petition and offered two *Rak'at* in the same way he prayed *'Eid*[3] but did not deliver your kind of

(٤٠٦) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما قَالَ: خَرَجَ النَّبِيُّ ﷺ مُتَوَاضِعاً، مُتَبَذِّلاً، مُتَخَشِّعاً، مُتَرَسِّلاً، مُتَضَرِّعاً، فَصَلَّى رَكْعَتَيْنِ، كَمَا يُصَلِّي فِي الْعِيدِ، لَمْ يَخْطُبْ

[1] This *Hadîth* tells us that in the event of an untoward occurrence, whether an earthly disaster (i.e. an earthquake, an avalanche, etc.) or a catastrophe descending from the sky (i.e. a hurricane, sand-storm, snow-storm, etc.) which inflicts pain and grief on the creatures, people must immediately take upon themselves to offer this prayer which is known as *Salât-ul-Ayât*.

[2] The lexical meaning of *Istisqa'* is "to demand or to ask for water". In the terminology of *Shari'a* (Islamic law), it is typically used for conducting a special prayer gathering wherein supplications are offered to invoke rain. *Istisqa'* is of three kinds: 1) *Adna* (the least one). 2) *Awsat* (the middle one). 3) *A'la* (the superior one). *Adna* implies a verbal supplication only. *Awsat* stands for a verbal supplication (in congregation) after offering an obligatory (*Fard*) prayer. *A'la* calls for conducting a special congregational prayer to invoke rain. The correct form of *Istisqa'* prayer is that two *Rak'at* be offered. The recitation be made in a loud voice followed by two *Khutba* (religious talk, sermon), and after it, a verbal supplication be made facing *Qiblah*.

[3] There is a sequential and numerical difference in the pronouncing of *Takbîr* between an *'Eid* prayer and an *Istisqa'* prayer. *Khutba* should follow the main course of prayer in *Istisqa'* also exactly in a similar way like an *'Eid* prayer.

*Khutba*[1] (religious talk, sermon). [Reported by *Al-Khamsa*; and At-Tirmidhi, Abu 'Awana and Ibn Hibbân graded it *Sahih* (sound)].

خُطْبَتِكُمْ هٰذِهِ. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَأَبُو عَوَانَةَ وَابْنُ حِبَّانَ.

**407.** Narrated 'Aisha رضي الله عنها: The people complained to Allâh's Messenger صلى الله عليه وسلم of the lack of rain, so he gave orders for a pulpit which was put for him at the prayer place, and then fixed a day for the people to come out. And he (صلى الله عليه وسلم) came out when the edge of the sun appeared, sat down on the pulpit and having pronounced the greatness of Allâh and expressed His praise, he said, "You have complained of drought in your abodes. Allâh has ordered you to supplicate Him and promised that He would answer your prayer." Then he (صلى الله عليه وسلم) said, "All the Praise is to Allâh, the *Rabb* of the universe, the Compassionate, the Merciful, the Master of the Day of Judgement, there is no God but Allâh, Who does what He wishes. O Allâh! You are Allâh, there is no deity but You, You are the Rich, and we are the poor, send down rain upon us and make what You send down strength and satisfaction for a time." He (صلى الله عليه وسلم) then raised his hands[2] and

(٤٠٧) وَعَنْ عَائِشَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهَا قَالَتْ: شَكَا النَّاسُ إِلَى رَسُولِ اللّٰهِ ﷺ قُحُوطَ الْمَطَرِ، فَأَمَرَ بِمِنْبَرٍ، فَوُضِعَ لَهُ فِي الْمُصَلَّى، وَوَعَدَ النَّاسَ يَوْماً يَخْرُجُونَ فِيهِ، فَخَرَجَ حِينَ بَدَا حَاجِبُ الشَّمْسِ، فَقَعَدَ عَلَى الْمِنْبَرِ، فَكَبَّرَ وَحَمِدَ اللّٰهَ، ثُمَّ قَالَ: إِنَّكُمْ شَكَوْتُمْ جَدْبَ دِيَارِكُمْ، وَقَدْ أَمَرَكُمُ اللّٰهُ أَنْ تَدْعُوهُ، وَوَعَدَكُمْ أَنْ يَسْتَجِيبَ لَكُمْ، ثُمَّ قَالَ: اَلْحَمْدُ لِلّٰهِ رَبِّ الْعَالَمِينَ، الرَّحْمٰنِ الرَّحِيمِ، مَالِكِ يَوْمِ الدِّينِ، لَا إِلٰهَ إِلَّا اللّٰهُ، يَفْعَلُ مَا يُرِيدُ، اللّٰهُمَّ أَنْتَ اللّٰهُ، لَا إِلٰهَ إِلَّا أَنْتَ، أَنْتَ الْغَنِيُّ، وَنَحْنُ الْفُقَرَاءُ، أَنْزِلْ عَلَيْنَا الْغَيْثَ، وَاجْعَلْ مَا أَنْزَلْتَ عَلَيْنَا قُوَّةً وَبَلَاغاً إِلَى حِينٍ. ثُمَّ رَفَعَ يَدَيْهِ، فَلَمْ يَزَلْ حَتَّى رُئِيَ بَيَاضُ إِبِطَيْهِ، ثُمَّ حَوَّلَ إِلَى النَّاسِ ظَهْرَهُ، وَقَلَبَ رِدَاءَهُ، وَهُوَ رَافِعٌ يَدَيْهِ، ثُمَّ أَقْبَلَ عَلَى النَّاسِ، وَنَزَلَ، وَصَلَّى رَكْعَتَيْنِ، فَأَنْشَأَ اللّٰهُ تَعَالَى

[1] The words "did not deliver your kind of *Khutba*" allude to the fact that it was not a tiresome and lengthy *Khutba* of yours. Shah Waliullah, in his book *Hujjatullâh-il-Bâligha* writes that there are many ways of *Istisqa'* which are ascribed to the Prophet صلى الله عليه وسلم. The best method which the people may adopt according to *Sunna* is that all the people must form a gathering in a forest with the *Imâm*, they should put on ragged clothes and supplicate to Allâh the Almighty, tearfully with a heavy heart. Then *Imâm* should lead the prayer consisting of two *Rak'at*, with loud recitation. After the prayer, the *Imâm* should deliver the *Khutba*, making supplications to Allâh, while his face should be in the direction of *Qiblah* and then he should turn his cloak inside out.

[2] It thus gets known to us that in *Istisqa'* prayer, supplications should be made with raised hands. Imâm An-Nawawi has collected twenty *Ahadith* to this effect. Anas رضي الله عنه narrates that he never saw the Prophet صلى الله عليه وسلم ever raising his hands in any of his supplications

سَحَابَةً، فَرَعَدَتْ، وَبَرَقَتْ، ثُمَّ أَمْطَرَتْ. رَوَاهُ أَبُو دَاوُدَ، وَقَالَ: غَرِيبٌ، وَإِسْنَادُهُ جَيِّدٌ.

kept rising them till the whiteness of his armpits was visible. He then turned his back to the people and inverted round his cloak while keeping his hands aloft; he (صلى الله عليه وسلم) then faced the people, descended and prayed two *Rak'at*. Then Allâh produced a cloud and storms of thunder and lightning came and the rain fell. [Reported by Abû Dâ'ud who graded it *Gharib*, but its chain is good].

وَقِصَّةُ التَّحْوِيلِ فِي الصَّحِيحِ مِنْ حَدِيثِ عَبْدِ اللهِ بْنِ زَيْدٍ، وَفِيهِ: فَتَوَجَّهَ إِلَى الْقِبْلَةِ يَدْعُو، ثُمَّ صَلَّى رَكْعَتَيْنِ، جَهَرَ فِيهِمَا بِالْقِرَاءَةِ.

The story of how the Prophet صلى الله عليه وسلم turned his cloak round is mentioned in *Sahih Al-Bukhâri* from the narration of 'Abdullâh bin Zaid. And it has also: "He (صلى الله عليه وسلم) faced the *Qiblah* making supplication then he prayed two *Rak'at* and recited the Qur'ân aloud in them."

وَلِلدَّارَقُطْنِيِّ مِنْ مُرْسَلِ أَبِي جَعْفَرٍ الْبَاقِرِ: وَحَوَّلَ رِدَاءَهُ لِيَتَحَوَّلَ الْقَحْطُ.

Ad-Dâraqutni reported the same in a *Mursal Hadîth* narrated by Abû Ja'far Al-Bâqir[1]: "He (صلى الله عليه وسلم) turned his cloak round, so the drought may turn (to a rained land)."

(٤٠٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً دَخَلَ الْمَسْجِدَ يَوْمَ الْجُمُعَةِ، وَالنَّبِيُّ ﷺ قَائِمٌ يَخْطُبُ، فَقَالَ: يَا رَسُولَ اللهِ! هَلَكَتِ الْأَمْوَالُ، وَانْقَطَعَتِ السُّبُلُ، فَادْعُ اللَّهَ يُغِيثُنَا، فَرَفَعَ يَدَيْهِ، ثُمَّ قَالَ: «**اللَّهُمَّ أَغِثْنَا، اللَّهُمَّ أَغِثْنَا، اللَّهُمَّ أَغِثْنَا**»، فَذَكَرَ الْحَدِيثَ،

**408.** Narrated Anas رضى الله عنه: The Prophet صلى الله عليه وسلم was delivering the *Khutba* (religious talk, sermon) while standing on a Friday when a man came into the mosque and said, "O Messenger of Allâh! the livestock has died and the roads are cut off, so supplicate Allâh to send us down rain." Allâh's Messenger صلى الله عليه وسلم raised his hands and then said, "O

---

other than the one made for *Istisqa'*. This points out to the fact that he never saw the Prophet صلى الله عليه وسلم raising his hands so much upwards in any other prayer except *Istisqa'*.

[1] He is Muhammad Al-Baqir bin 'Ali Zain-ul-'Abidin bin Husain bin 'Ali bin Abû Tâlib, the 5th *Imâm* of the 12 *Imâm* claimed by the *Ithna 'Ashariya Shi'a*. He was called Bâqir for his wide knowledge. He was born in 56 H. and died in 117 at 63 years and was buried at Al-Baqi'.

Allâh! send us down rain, O Allâh! send us down rain, O Allâh! send us down rain." And the reporter mentioned the complete *Hadîth* which contains supplication to stop the rain. [Agreed upon].

وَفِيْهِ الدُّعَاءُ بِإِمْسَاكِهَا. مُتَّفَقٌ عَلَيْهِ.

**409.** Narrated (Anas) رضى الله عنه: When they experienced drought 'Umar bin Al-Khattab رضى الله عنه used to pray for rain by virtue[1] of Al-'Abbâs bin 'Abdul Muttalib[2] (رضى الله عنه), and said, "O Allâh, we used to supplicate You by virtue of our Prophet صلى الله عليه وسلم and You did give us water. We are now supplicating You by virtue of our Prophet's uncle, so give us water," they would then be given water. [Reported by Al-Bukhâri].

(٤٠٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ كَانَ إِذَا قَحِطُوا اسْتَسْقَى بِالْعَبَّاسِ بْنِ عَبْدِ الْمُطَّلِبِ، وَقَالَ: اللَّهُمَّ إِنَّا كُنَّا نَسْتَسْقِي إِلَيْكَ بِنَبِيِّنَا فَتَسْقِينَا، وَإِنَّا نَتَوَسَّلُ إِلَيْكَ بِعَمِّ نَبِيِّنَا فَاسْقِنَا، فَيُسْقَوْنَ. رَوَاهُ الْبُخَارِيُّ.

**410.** Narrated (Anas) رضى الله عنه: A shower of rain fell when we were with Allâh's Messenger صلى الله عليه وسلم who removed his garment till some of the rain fell on him and said, "It has recently been with its *Rabb*[3]." [Reported by Muslim].

(٤١٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَصَابَنَا - وَنَحْنُ مَعَ رَسُولِ اللهِ ﷺ - مَطَرٌ، قَالَ: فَحَسَرَ ثَوْبَهُ حَتَّى أَصَابَهُ مِنَ الْمَطَرِ، وَقَالَ: إِنَّهُ حَدِيثُ عَهْدٍ بِرَبِّهِ. رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadith* inculcates on us that we should make the living pious people supplicate for *Istisqa'* and not the dead ones among them. Many people believe that according to this *Hadith*, supplicaitons may be made through the dead, making them a medium, which is an erroneous view. Had it been proper and permissible to use the dead as intermediaries, 'Umar رضى الله عنه would not have requested 'Abbâs رضى الله عنه to conduct supplications instead of the Prophet صلى الله عليه وسلم.

[2] He is the uncle of the Prophet صلى الله عليه وسلم and was nicknamed Abul-Fadl. He was responsible for supplying water to the pilgrims to Makka and the constructions of the Ka'ba. He attended *Al-'Aqaba* agreement to make sure that the *Ansâr* were sincere in their promises and he had not become a Muslim yet. He was captured in the battle of Badr with the polytheists. He became a Muslim just before the conquest of Makka and took part in it. He stood firm during the battle of Hunain. He died during Rajab or Ramadân in 32 H. and was buried at Al-Baqi'.

[3] It means that the rain is directly descending from the heavens. It has yet not touched any vice so far and has not yet come down to any place wherein people commit sinful acts. The motive is to persuade us to seek Allâh's blessing by utilising the blessed and good things provided to us by Allâh the All-Mighty and then offer our thanks to Him alone.

**411.** Narrated 'Aisha رضي الله عنها: When the Prophet صلى الله عليه وسلم saw rain he said, "O Allâh, (send down) a beneficial downpour." [Agreed upon].

(٤١١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَأَى الْمَطَرَ قَالَ: «اللَّهُمَّ صَيِّباً نَافِعاً». أَخْرَجَاهُ.

**412.** Narrated Sa'd رضي الله عنه: The Prophet صلى الله عليه وسلم supplicated (Allâh) for rain saying[1], "O Allâh, generalize us with thick, rumbling, slipping, and lightening clouds from which You would send us down a showery, drizzly, and spilling rain. O Possessor of Glory and Honour." [Reported by Abû 'Awana in his *Sahih*].

(٤١٢) وَعَنْ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ دَعَا فِي الاسْتِسْقَاءِ: «**اللَّهُمَّ جَلِّلْنَا سَحَاباً كَثِيفاً، قَصِيفاً، دَلُوقاً، ضَحُوكاً، تُمْطِرُنَا مِنْهُ رَذَاذاً، قِطْقِطاً، سَجْلاً، يَا ذَا الْجَلَالِ وَالْإِكْرَامِ**». رَوَاهُ أَبُو عَوَانَةَ فِي صَحِيحِهِ.

**413.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, Sulaiman (Solomon) عليه السلام went out to pray for rain, and he saw an ant lying on its back raising its legs to the sky saying,[2] "O Allâh, we are creatures among your creatures, we cannot live without your water." He said (to his companions), "Go back, for you have been given water through the supplication of others." [Reported by Ahmad and Al-Hâkim graded it *Sahih*].

(٤١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: خَرَجَ سُلَيْمَانُ عَلَيْهِ السَّلَامُ يَسْتَسْقِي، فَرَأَى نَمْلَةً مُسْتَلْقِيَةً عَلَى ظَهْرِهَا، رَافِعَةً قَوَائِمَهَا إِلَى السَّمَاءِ، تَقُولُ: اللَّهُمَّ إِنَّا خَلْقٌ مِنْ خَلْقِكَ، لَيْسَ بِنَا غِنًى عَنْ سُقْيَاكَ، فَقَالَ: «ارْجِعُوا فَقَدْ سُقِيتُمْ بِدَعْوَةِ غَيْرِكُمْ». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ الْحَاكِمُ.

**414.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم prayed for rain pointing the back of his palms[3] to the sky. [Reported by Muslim].

(٤١٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ اسْتَسْقَى فَأَشَارَ بِظَهْرِ كَفَّيْهِ إِلَى السَّمَاءِ. أَخْرَجَهُ مُسْلِمٌ.

---

[1] Many supplications concerning *Istisqa'* are reported from the Prophet صلى الله عليه وسلم and this is one of them.

[2] The practice of carrying animals to the *Istisqa'* prayer is proven through this *Hadith* as Allâh may perhaps accept their supplications.

[3] The religious scholars state that if a supplication is to be made to invoke Allâh's blessing, one should raise his hands in the usual way (palms facing the praying person). If the same is done to ward off an evil, the situation of hands should be reversed (i.e., raised hands, with palms facing out). It implies an augury that may Allâh effect a change in the situation. The same implies to turn cloak inside out and likewise the gesture of keeping one's palms

## Chapter 17
## THE MANNERS OF CLOTHING

## ١٧ - بَابُ اللِّبَاسِ

**415.** Narrated Abû 'Aamir Al-Ash'ari[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "There will be among my followers some people who will make adultery lawful (*Al-Hir*) and the use of silk (*Al-Harir*)." [Reported by Abû Dâ'ud and its original[2] is in Al-Bukhâri].

(٤١٥) عَنْ أَبِي عَامِرٍ الأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيَكُونَنَّ مِنْ أُمَّتِي أَقْوَامٌ يَسْتَحِلُّونَ الْحِرَ وَالْحَرِيرَ». رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُه فِي الْبُخَارِيِّ.

**416.** Narrated Hudhaifa رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade us neither to eat nor to drink from gold and silver vessels and neither to wear nor sit on silk or brocade. [Reported by Al-Bukhâri].

(٤١٦) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ نَشْرَبَ فِي آنِيَةِ الذَّهَبِ وَالْفِضَّةِ، وَأَنْ نَأْكُلَ فِيهَا، وَعَنْ لُبْسِ الْحَرِيرِ وَالدِّيبَاجِ، وَأَنْ نَجْلِسَ عَلَيْهِ. رَوَاهُ الْبُخَارِيُّ.

**417.** Narrated 'Umar رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade the wearing of silk except the size of two, three or four fingers[3]. [Agreed upon, and the version is of Muslim].

(٤١٧) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ لُبْسِ الْحَرِيرِ، إِلَّا مَوْضِعَ أُصْبُعَيْنِ، أَوْ ثَلَاثٍ، أَوْ أَرْبَعٍ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**418.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم gave permission to 'Abdur-Rahman bin 'Auf and

(٤١٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ رَخَّصَ لِعَبْدِ الرَّحْمٰنِ بْنِ

---

facing outwards denotes and highlights the good omen that may Allâh put the clouds lower (being filled with water).

[1] He is called 'Abdullâh bin Hâni' or 'Ubaid bin Wahab. He was a *Sahâbi* who settled at Shâm and died during the rule of 'Abdul Malik bin Marwân.

[2] It means that they shall be wearing the silken cloth and committing fornication to such an excess as if these things are not forbidden at all.

[3] The wearing of silken-cloth is forbidden on men. However, it is permissible for a man to wear, at the most, a garment that comprises a silken stripe not measuring more than five to ten centimeters. But it is permissible for a man to wear silken cloth if either he suffers from the itching of skin (i.e., eczema, etc.) or he gets infested with lice. Since the silken clothes benefit the ones suffering from these conditions, they are allowed to keep using them as a supportive measure until they get cured.

Az-Zubair[1] to wear silk during the journey because of itching which they had. [Agreed upon].

عَوْفٍ وَالزُّبَيْرِ فِي قَمِيصِ الْحَرِيرِ، فِي سَفَرٍ، مِنْ حِكَّةٍ كَانَتْ بِهِمَا. مُتَّفَقٌ عَلَيْهِ.

**419.** Narrated 'Ali bin Abi Talib رضی اللہ عنہ: The Prophet صلی اللہ علیہ وسلم presented me a striped robe[2] containing silk, then I went out in it, but on noticing anger on on his face, I cut it up (and divided it) among the women of my household. [Agreed upon and the version is of Muslim].

(٤١٩) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَسَانِي النَّبِيُّ ﷺ حُلَّةً سِيَرَاءَ، فَخَرَجْتُ فِيهَا، فَرَأَيْتُ الْغَضَبَ فِي وَجْهِهِ، فَشَقَقْتُهَا بَيْنَ نِسَائِي. مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

**420.** Narrated Abû Mûsa رضی اللہ عنہ: Allâh's Messenger صلی اللہ علیہ وسلم said, "Gold and silk are permitted to the females among my people but prohibited to the males." [Reported by Ahmad, An-Nasâ'i and At-Tirmidhi, who graded it *Sahih*].

(٤٢٠) وَعَنْ أَبِي مُوسَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: **«أُحِلَّ الذَّهَبُ وَالْحَرِيرُ لِإِنَاثِ أُمَّتِي. وَحُرِّمَ عَلَى ذُكُورِهِمْ»**. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ وَصَحَّحَهُ.

**421.** Narrated 'Imrân bin Husain رضی اللہ عنہما: The Prophet صلی اللہ علیہ وسلم said, "Allâh loves to see on His servant the sign of the favour He has bestowed on him."[3] [Reported by Al-Baihaqi].

(٤٢١) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ قَالَ: **«إِنَّ اللَّهَ يُحِبُّ إِذَا أَنْعَمَ عَلَى عَبْدِهِ نِعْمَةً، أَنْ يَرَى أَثَرَ نِعْمَتِهِ عَلَيْهِ»**. رَوَاهُ الْبَيْهَقِيُّ.

**422.** Narrated 'Ali رضی اللہ عنہ: Allâh's Messenger صلی اللہ علیہ وسلم forbade wearing of silk and yellow clothes. [Reported by Muslim].

(٤٢٢) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ لُبْسِ الْقَسِّيِّ وَالْمُعَصْفَرِ. رَوَاهُ مُسْلِمٌ.

---

[1] Az-Zubair bin Al-'Awwâm bin Khuwailid bin Asad Al-Qurashi Al-Asadi was the disciple of Allâh's Messenger صلی اللہ علیہ وسلم, the son of Safiya, his paternal aunt and one of the ten who were promised to enter Paradise. He was also one of the Muslim heroes in the battles. He was killed in 36 H. after retreating from the battle of Al-Jamal.

[2] This garment was presented to the Prophet صلی اللہ علیہ وسلم by the King of Aila region. It contained an embroidery of golden and silken threads.

[3] This clarifies that wearing good clothes and eating nice foods is not against piety. According to a *Hadîth*, Allâh loves beauty and cleanliness. Mâlik bin Murara once enquired the Prophet صلی اللہ علیہ وسلم whether nice food, decent dress, good housing and a good mode of transport smack of pride and vanity? He answered in the negative saying that pride is in considering others inferior to oneself, and is in not accepting the truth.

**423.** Narrated 'Abdullah bin 'Amr رضي الله عنهما: The Prophet صلى الله عليه وسلم saw me in two clothes dyed in saffron, whereupon he said: "Did your mother order you to do this?[1]" [Reported by Muslim].

(٤٢٣) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَأَى عَلَيَّ النَّبِيُّ ﷺ ثَوْبَيْنِ مُعَصْفَرَيْنِ، فَقَالَ: «**أُمُّكَ أَمَرَتْكَ بِهَذَا؟**». رَوَاهُ مُسْلِمٌ.

**424.** Narrated Asmâ' bint Abû Bakr رضي الله عنهما: She brought out the mantle of Allâh's Messenger صلى الله عليه وسلم with a gore, sleeves, front and back hemmed with brocade[2]. [Abû Dâ'ud reported it]. Its origin is in Muslim's *Sahih* with the addition: "It was with 'Aisha رضي الله عنها till she died, then I possessed it. The Prophet صلى الله عليه وسلم used to wear it, and we wash it for the sick, seeking cure with it," and Al-Bukhâri added in *Adab Al-Mufrad*[3]: "he used to wear it on the visit of a delegation[4] and on Fridays." [Reported by Muslim].

(٤٢٤) وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهَا أَخْرَجَتْ جُبَّةَ رَسُولِ اللهِ ﷺ، مَكْفُوفَةَ الْجَيْبِ وَالْكُمَّيْنِ وَالْفَرْجَيْنِ بِالدِّيبَاجِ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُهُ فِي مُسْلِمٍ، وَزَادَ: كَانَتْ عِنْدَ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا حَتَّى قُبِضَتْ، فَقَبَضْتُهَا، وَكَانَ النَّبِيُّ ﷺ يَلْبَسُهَا، فَنَحْنُ نَغْسِلُهَا لِلْمَرْضَى، نَسْتَشْفِي بِهَا. وَزَادَ الْبُخَارِيُّ فِي الْأَدَبِ الْمُفْرَدِ: وَكَانَ يَلْبَسُهَا لِلْوَفْدِ وَالْجُمُعَةِ.

---

[1] The whole *Hadîth* goes that 'Abdullâh bin 'Umar رضي الله عنهما asked the Prophet's permission to wash that garment. His answer was in the negative instructing him to set it on fire instead, which was ostensibly a punitive measure.

[2] *Dibâj* is basically an Arabised word. *Diba* is the original word which can be translated as "a thick silken cloth."

[3] This is the name of a book written by Imâm Bukhâri رحمه الله.

[4] This clarifies that the wearing of good clothes is permissible on the occasion of Friday, both of the *'Eid* or to have an audience with an honourable person.

# 3. THE BOOK OF FUNERALS

**425.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "Remember a lot the cutter of delights i.e., death.[1] [Reported by At-Tirmidhi and An-Nasâ'i; Ibn Hibbân graded it *Sahih*].

**426.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: None of you should wish for death[2] for being afflicted by harm, but if he must wish he should say, "O Allâh, give me life as long as it is good for me, and give me if death is good for me.[3]" [Agreed upon].

**427.** Narrated Buraida رضي الله عنه: The Prophet صلى الله عليه وسلم said, "A believer dies with sweat[4] on the brow." [Reported by *Ath-Thalatha*]. And Ibn Hibbân graded it *Sahih* (sound).

**428.** Narrated Abû Sa'îd and Abû Huraira رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Let those of you

# ٣ - كِتَابُ الْجَنَائِزِ

(٤٢٥) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**أَكْثِرُوا ذِكْرَ هَاذِمِ اللَّذَّاتِ: الْمَوْتِ**». رَوَاهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

(٤٢٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَتَمَنَّيَنَّ أَحَدُكُمُ الْمَوْتَ لِضُرٍّ نَزَلَ بِهِ، فَإِنْ كَانَ لَا بُدَّ مُتَمَنِّيًا، فَلْيَقُلْ: اللَّهُمَّ أَحْيِنِي مَا كَانَتِ الْحَيَاةُ خَيْرًا لِي، وَتَوَفَّنِي مَا كَانَتِ الْوَفَاةُ خَيْرًا لِي**». مُتَّفَقٌ عَلَيْهِ.

(٤٢٧) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**الْمُؤْمِنُ يَمُوتُ بِعَرَقِ الْجَبِينِ**». رَوَاهُ الثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

(٤٢٨) وَعَنْ أَبِي سَعِيدٍ وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَا: قَالَ رَسُولُ اللهِ

---

[1] The mention of death often provokes a feeling of abstinence, self-introspection concerning one's own deeds, and the dreadfulness of the Doomsday which in turn instigates one to perform good deeds and molds one's psyche in such a condition so as to be prepared for the Day of Judgement.

[2] It is forbidden to be desirous of death out of mundane afflictions, poverty and diseases, etc. To wish to meet Allâh the All-Mighty, is indeed an indication towards the perfection of one's Faith; and it is permissible for one to wish for death out of fear that lest one should be led astray from the Right Path.

[3] The life is a boon to a believer. A *Hadith* states that a believer, if pious, shall accrue more piety to his credit. The life is also a boon to a sinner, as he may shun his sins and bad deeds out of repentance, (at any point during the course of his life).

[4] It has been construed in many ways. The correct version is that one's forehead perspires as the agony of death gets too hard and a believer's agony is made a bit severe as an atonement of whatever sins he has committed in this world and their being forgiven here itself. This too is a boon of Allâh on a believer.

who are dying repeat after you, "There is no God but Allâh." [Reported by Muslim and *Al-Arba'a*].

ﷺ: «لَقِّنُوا مَوْتَاكُمْ لَا إِلٰهَ إِلَّا اللّٰهُ». رَوَاهُ مُسْلِمٌ وَالْأَرْبَعَةُ.

**429.** Narrated Ma'quil bin Yasâr[1] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Recite *Sûrat Yâsin* over your dead.[2]" [Abû Dâ'ud and An-Nasâ'i reported it and Ibn-Hibbân graded it *Sahih*].

(٤٢٩) وَعَنْ مَعْقِلِ بْنِ يَسَارٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «اقْرَءُوا عَلَى مَوْتَاكُمْ يس». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**430.** Narrated Umm Salama[3] رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم came in to when Abû Salama died. His eyes were fixedly open. Closing them he said, "When the soul is taken, the sight[4] follows it." Some of his family wept and wailed, so he (صلى الله عليه وسلم) said, "Do not supplicate for your selves anything but good, for the angels say *Amin* to what you say." He then said, "O Allâh, forgive Abû Salama, raise his degree among those

(٤٣٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ رَسُولُ اللّٰهِ ﷺ عَلَى أَبِي سَلَمَةَ، وَقَدْ شَقَّ بَصَرُهُ، فَأَغْمَضَهُ، ثُمَّ قَالَ: «إِنَّ الرُّوحَ إِذَا قُبِضَ اتَّبَعَهُ الْبَصَرُ»، فَضَجَّ نَاسٌ مِنْ أَهْلِهِ، فَقَالَ: «لَا تَدْعُوا عَلَى أَنْفُسِكُمْ إِلَّا بِخَيْرٍ، فَإِنَّ الْمَلَائِكَةَ تُؤَمِّنُ عَلَى مَا تَقُولُونَ»، ثُمَّ قَالَ: «اللّٰهُمَّ اغْفِرْ لِأَبِي سَلَمَةَ،

---

[1] Ma'quil is a *Sahâbi* of Muzaina tribe. He became a Muslim before Hudaibiya expedition and participated in *Bai'at-ur-Ridwân*. A river he had dug at Basra by the orders of 'Umar was named after him. And since then a proverb goes: "If Allâh's river comes flowing, the river of Ma'quil becomes useless." It is said that he died at Basra towards the end of Mu'awiya's rule in 60 H. or during the rule of Yazid.

[2] This mitigates the perdition and one's soul is released out of his body with smoothness and ease. As this *Sûrah* contains a mentioning of Allâh's blessing on his slaves, the same gives strength and predominance to his element of hope and thus his soul effortlessly passes away.

[3] He is 'Abdullâh bin 'Abdul-Asad Al-Makhzumi Al-Qurashi, the son of the paternal aunt of Allâh's Messenger صلى الله عليه وسلم and his brother together with Hamza in suckling. They were all suckled by Thuwaiba the manumitted slave-woman of Abu Lahab. Abu Salama had migrated to Abyssinia (Ethiopia) with his wife Umm Salama. He attended the battle of Badr and was wounded in the battle of Uhud. His wound healed, then recurred and he finally died on 3rd Jumad-al-Ula 4 H., leaving behind Umm Salama who was married after him by the Prophet صلى الله عليه وسلم in Shawwâl 4 H.

[4] This informs us that the eyes of a dying person become open wide apart as they observe the beloved departing soul. The eyes of the deceased should be closed immediately because they do not close after the body loses its warmth, and instinctively strike terror and instill fear in one's mind.

who are rightly guided, and grant him a succession in his descendants who remain, make his grave spacious for him and grant him light in it." [Reported by Muslim].

وَارْفَعْ دَرَجَتَهُ فِي الْمَهْدِيِّينَ، وَافْسَحْ لَهُ فِي قَبْرِهِ، وَنَوِّرْ لَهُ فِيهِ، وَاخْلُفْهُ فِي عَقِبِهِ». رَوَاهُ مُسْلِمٌ.

**431.** Narrated 'Aisha رضي الله عنها that when the Prophet صلى الله عليه وسلم died, he was covered with a striped garment. [Agreed upon].

(٤٣١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ حِينَ تُوُفِّيَ، سُجِّيَ بِبُرْدٍ حِبَرَةٍ. مُتَّفَقٌ عَلَيْهِ.

**432.** Narrated ('Aisha) رضي الله عنها that Abû Bakr رضي الله عنه kissed[1] the Prophet صلى الله عليه وسلم when he was dead. [Reported by Al-Bukhari].

(٤٣٢) وَعَنْهَا أَنَّ أَبَا بَكْرٍ الصِّدِّيقَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَبَّلَ النَّبِيَّ ﷺ بَعْدَ مَوْتِهِ. رَوَاهُ الْبُخَارِيُّ.

**433.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "A believer's soul is attached to his debt[2] till it is paid[3] on his behalf." [Reported by Ahmad and At-Tirmidhi who graded it *Hasan*].

(٤٣٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «نَفْسُ الْمُؤْمِنِ مُعَلَّقَةٌ بِدَيْنِهِ، حَتَّى يُقْضَىٰ عَنْهُ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

**434.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said concerning the man who fell down from his camel and died, "Wash him with water and lotus leaves[4], and shroud him[5] in his two garments." [Agreed upon].

(٤٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ فِي الَّذِي سَقَطَ عَنْ رَاحِلَتِهِ، فَمَاتَ: اغْسِلُوهُ بِمَاءٍ وَسِدْرٍ، وَكَفِّنُوهُ فِي ثَوْبَيْنِ. مُتَّفَقٌ عَلَيْهِ.

---

[1] This explains that it is permissible to kiss a dead body provided the same belongs to a Muslim.

[2] According to this *Hadith*, a person shall remain under his indebtedness even after his death, as long his loans are not paid off.

[3] This is on the condition that the deceased person, despite possessing wealth and being solvent enough to pay off his debts, died without paying it. If someone dies an accidental death and has little time to pay it off, or a person who does not have the solvency but harbors a good intention of paying it off, is however exempted from it. One of the items related to *Zakât* expenditure is that the debts of the indebted people be paid off.

[4] The blending of *Sidr* (Nibk tree) leaves washes off the dirt and filth away just like soap.

[5] This person was standing in *'Arfah* with the Prophet صلى الله عليه وسلم. He fell down from the mount and passed away as he was kicked by the she-camel. The Prophet صلى الله عليه وسلم asked

(٤٣٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: لَمَّا أَرَادُوا غُسْلَ النَّبِيِّ ﷺ، قَالُوا: وَاللهِ مَا نَدْرِي نُجَرِّدُ رَسُولَ اللهِ ﷺ كَمَا نُجَرِّدُ مَوْتَانَا أَمْ لا؟ الْحَدِيثَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ.

**435.** Narrated 'Aisha رضي الله عنها: When the people intended to wash the Prophet صلى الله عليه وسلم they said; "By Allâh, we do not know whether we should take off the clothes of Allâh's Messenger صلى الله عليه وسلم as we take off the clothes of our dead.[1]" [Reported by Ahmad and Abû Dâ'ud].

(٤٣٦) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: دَخَلَ عَلَيْنَا النَّبِيُّ ﷺ وَنَحْنُ نُغَسِّلُ ابْنَتَه، فَقَالَ: «اغسِلْنَهَا ثَلاثاً أَوْ خَمْساً أَوْ أَكْثَرَ مِنْ ذٰلِكَ، إِنْ رَأَيْتُنَّ ذٰلِكَ، بِمَاءٍ وَسِدْرٍ، وَاجْعَلْنَ فِي الْأَخِيرَةِ كَافُوراً، أَوْ شَيْئاً مِنْ كَافُورٍ»، فَلَمَّا فَرَغْنَا آذَنَّاهُ، فَأَلْقَى إِلَيْنَا حِقْوَهُ، فَقَالَ: أَشْعِرْنَهَا إِيَّاهُ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ: «ابْدَأْنَ بِمَيَامِنِهَا، وَمَوَاضِعِ الْوُضُوءِ مِنْهَا». وَفِي لَفْظٍ لِلْبُخَارِيِّ: فَضَفَّرْنَا شَعْرَهَا ثَلاثَةَ قُرُونٍ، فَأَلْقَيْنَاهَا خَلْفَهَا.

**436.** Narrated Umm 'Atiya رضي الله عنها: The Prophet صلى الله عليه وسلم came in when we were washing his daughter and said, "Wash her with water and lotus leaves three or five times,[2] or more than that if you think fit, and put camphor, or some camphor in the last washing, then inform me when you have finished." When we had finished we informed him, and he threw us his lower garment saying, "Put it next to her body." [Agreed upon]. And in another version: "Begin with her right side and the places of the ablution." And in the version of Al-Bukhâri: "We braided her hair in three plaits and placed them behind her back."

(٤٣٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُفِّنَ رَسُولُ اللهِ ﷺ فِي ثَلاثَةِ

**437.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم was shrouded in three garments of white

---

the people around neither to cover his head nor to spray scent on his body as Allâh will arouse him on the Day of Resurrection in the state of pronouncing *Talbiya*.

[1] The *Hadith* goes that when the Prophet صلى الله عليه وسلم expired, the people were in a lurch whether or not to undress him ( to perform the ritual bathing of the dead body). Suddenly the people were overwhelmed by a feeling of drowsiness and an unknown voice from one of the corners of the house was heard saying that his dead body should not be undressed, and hence the instruction was duly compiled with and the ritual bathing was done accordingly.

[2] It clarifies that *Ghusl* (ritual bathing of the dead body) should be done at least three times invariably. If required more than that, it could be done five times or even seven times, but the consensus among the scholars is on one only.

Yemeni stuff from *Sahûl*[1] among which was neither a shirt nor a turban. [Agreed upon].

أَثْوَابٍ بِيضٍ سَحُولِيَّةٍ مِنْ كُرْسُفٍ، لَيْسَ فِيهَا قَمِيصٌ وَلاَ عِمَامَةٌ. مُتَّفَقٌ عَلَيْهِ.

**438.** Narrated Ibn 'Umar رضى الله عنهما: When 'Abdullâh bin 'Ubai[2] died, his son[3] came to Allah's Messenger صلى الله عليه وسلم and said, "Give me your shirt to shroud him in it," so he (صلى الله عليه وسلم) gave it to him. [Agreed upon].

(٤٣٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا تُوُفِّيَ عَبْدُ اللهِ بْنُ أُبَيٍّ جَاءَ ابْنُهُ إِلَى رَسُولِ اللهِ ﷺ فَقَالَ: أَعْطِنِي قَمِيصَكَ أُكَفِّنْهُ فِيهِ، فَأَعْطَاهُ إِيَّاهُ. مُتَّفَقٌ عَلَيْهِ.

**439.** Narrated Ibn 'Abbâs رضى الله عنهما: The Prophet صلى الله عليه وسلم said: "Wear your white garments, for they are among your best garments, and shroud your dead in them." [Reported by *Al-Khamsa* except An-Nasâ'i. And At-Tirmidhi graded it *Sahih* (sound)].

(٤٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «**الْبَسُوا مِنْ ثِيَابِكُمُ الْبِيضَ فَإِنَّهَا مِنْ خَيْرِ ثِيَابِكُمْ، وَكَفِّنُوا فِيهَا مَوْتَاكُمْ**». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ.

**440.** Narrated Jâbir رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you shrouds his brother, he should use a good shroud.[4]" [Reported by Muslim].

(٤٤٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا كَفَّنَ أَحَدُكُمْ أَخَاهُ فَلْيُحْسِنْ كَفَنَهُ**». رَوَاهُ مُسْلِمٌ.

**441.** Narrated (Jâbir) رضى الله عنه: The Prophet صلى الله عليه وسلم had each pair of those killed at Uhud, wrapped in a

(٤٤١) وَعَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَجْمَعُ بَيْنَ الرَّجُلَيْنِ مِنْ قَتْلَى أُحُدٍ فِي ثَوْبٍ

---

[1] *Sahûl* is the name of a village in Yemen and this fabric is belonged to it.

[2] He was the chief of Al-Khazraj tribe during the *Jahiliya* (ignorance) period and head of the hypocrites after the Prophet صلى الله عليه وسلم migrated to Al-Madîna. He retreated with 300 men from the battle of Badr and was responsible for the major part of the falsehood against 'Aisha رضى الله عنها He is also the one who said, "If we return to Al-Madîna the honourable man (meaning himself) will evict the disgraceful one (meaning the Prophet صلى الله عليه وسلم)." He also said, "Do not feed the ones with Allâh's Messenger صلى الله عليه وسلم till they disperse." He died in Dhul Qa'da 9 H. His mother was called Salul.

[3] He is 'Abdullâh bin 'Abdullâh bin Ubai bin Salul. He was one of the virtuous and benevolent *Sahâba*, and was martyred in the battle of Al-Yamama. He was the toughest man against his father to the extent that he asked to be permitted to chop his head off when he said that 'the honourable man will evict the disgraceful one.' His name was Hubâb during the *Jahiliya* days, but the Prophet صلى الله عليه وسلم renamed him 'Abdullâh.

[4] It only means that the shroud should be neat and clean and not an expensive one as there is a prohibition regarding the same in *Hadîth*.

single garment[1] and asked, "Which of them knew more of the Qur'ân?" Then he would have him put first in the niche inside of the grave. They were neither washed nor did he pray on them. [Reported by Al-Bukhâri].

وَاحِدٍ، ثُمَّ يَقُولُ: «أَيُّهُمْ أَكْثَرُ أَخْذاً لِلْقُرْآنِ»؟ فَيُقَدِّمُهُ فِي اللَّحْدِ، وَلَمْ يُغَسَّلُوا، وَلَمْ يُصَلِّ عَلَيْهِمْ. رَوَاهُ الْبُخَارِيُّ.

**442.** Narrated 'Ali رضي الله عنه : I heard the Prophet صلى الله عليه وسلم say, "Do not be extravagant in shrouding, for it will quickly decay." [Reported by Abû Dâ'ud].

(٤٤٢) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «لاَ تَغَالُوا فِي الْكَفَنِ، فَإِنَّهُ يُسْلَبُ سَرِيعاً». رَوَاهُ أَبُو دَاوُدَ.

**443.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم told her, "I would have washed you,[2] if died before me." [Reported by Ahmad and Ibn Mâjah. Ibn Hibbân graded it *Sahih*].

(٤٤٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «لَوْ مُتِّ قَبْلِي لَغَسَّلْتُكِ»، الْحَدِيثَ. رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**444.** Narrated Asma bint 'Umais رضي الله عنها: Fatima[3] رضي الله عنها willed that 'Ali[4] رضي الله عنه was to wash her. [Reported by Ad-Dâraqutni].

(٤٤٤) وَعَنْ أَسْمَاءَ بِنْتِ عُمَيْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ فَاطِمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَوْصَتْ أَنْ يُغَسِّلَهَا عَلِيٌّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. رَوَاهُ الدَّارَقُطْنِيُّ.

**445.** Narrated Buraida رضي الله عنه concerning a woman of Ghamid that the Prophet صلى الله عليه وسلم commanded the people to stone her because of

(٤٤٥) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الْغَامِدِيَّةِ، الَّتِي أَمَرَ النَّبِيُّ ﷺ

---

[1] This was only due to a constraint as there were not enough clothes to go round at that time. The proper procedure is that the Funeral prayer of the martyrs should not be performed.

[2] It implies an evidence that a man can give *Ghusl* (bath) to the dead body of his wife and hence the majority follow this rule. Some people oppose it, but the demeanour of the Companions of the Prophet صلى الله عليه وسلم disqualifies this persuasion of theirs. 'Ali رضي الله عنه gave *Ghusl* to Fatima Az-Zahra رضي الله عنها and likewise 'Asma رضي الله عنها gave *Ghusl* to Abû Bakr رضي الله عنه. These occurrences prove that a husband can give *Ghusl* to his wife and a woman can do the same to her husband and it is agreed upon by consensus that the Companions of the Prophet صلى الله عليه وسلم maintained silence on both of the above cited occasions.

[3] Fatima رضي الله عنها was the youngest among the daughters of the Prophet صلى الله عليه وسلم and she is the most important lady of this *Ummah*. 'Ali bin Abu Tâlib رضي الله عنه married her in Ramadân 2 H. and wedded her in Dhul Hijja. She was then 15 years 5 months old. She died in Ramadân 11 H. 6 months after the death of her father.

[4] 'Ali رضي الله عنه carried out her will.

fornication. He said, "He (صلى الله عليه وسلم) gave command regarding (stoning) her, prayed[1] over her and she was buried." [Reported by Muslim].

بِرَجْمِهَا فِي الزِّنَا - قَالَ: ثُمَّ أَمَرَ بِهَا، فَصُلِّي عَلَيْهَا وَدُفِنَتْ. رَوَاهُ مُسْلِمٌ.

**446.** Narrated Jabir bin Samura رضى الله عنه: The dead body of a man who had killed himself with a broad headed arrow was brought before the Prophet صلى الله عليه وسلم, but he did not offer prayer[2] on him. [Reported by Muslim].

(٤٤٦) وَعَنْ جَابِرِ بْنِ سَمُرَةَ رَضِيَ اللهُ تَعَالَى عَنْهُ، قَالَ: أُتِيَ النَّبِيُّ ﷺ بِرَجُلٍ قَتَلَ نَفْسَهُ بِمَشَاقِصَ، فَلَمْ يُصَلِّ عَلَيْهِ. رَوَاهُ مُسْلِمٌ.

**447.** Narrated Abû Huraira رضى الله عنه: Regarding the story of a woman who used to sweep the mosque. The Prophet صلى الله عليه وسلم asked about her and they (the Companions) told him she had died. He (صلى الله عليه وسلم) then said, "Why did you not inform me?" and it appeared as if they had treated her as of little importance. He (صلى الله عليه وسلم) said, "Show me her grave", and when they did so, he prayed[3] on her. [Agreed upon].

(٤٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الْمَرْأَةِ الَّتِي كَانَتْ تَقُمُّ الْمَسْجِدَ - قَالَ: فَسَأَلَ عَنْهَا النَّبِيُّ ﷺ، فَقَالُوا: مَاتَتْ، فَقَالَ: «أَفَلَا كُنْتُمْ آذَنْتُمُونِي»؟ - فَكَأَنَّهُمْ صَغَّرُوا أَمْرَهَا - فَقَالَ: «دُلُّونِي عَلَى قَبْرِهَا»، فَدَلُّوهُ، فَصَلَّى عَلَيْهَا. مُتَّفَقٌ عَلَيْهِ.

And Muslim added: He (صلى الله عليه وسلم) then said, "These graves are full of darkness for their occupants, but

وَزَادَ مُسْلِمٌ: ثُمَّ قَالَ: «إِنَّ هَذِهِ الْقُبُورَ مَمْلُوءَةٌ ظُلْمَةً عَلَى أَهْلِهَا، وَإِنَّ اللهَ يُنَوِّرُهَا لَهُمْ بِصَلَاتِي عَلَيْهِمْ».

[1] In some narrations, the word *Fa-salla* فصلى is used which is *Majhul* مجهول (unknown) and imply that the Prophet صلى الله عليه وسلم himself did not pray to the Funeral prayer but it was offered by his Companions. The truth of the matter is that the Prophet صلى الله عليه وسلم himself offered her Funeral prayer.

[2] There is a difference of opinions among scholars about the Funeral prayer of the one who has died out of committing suicide. The majority among them agree that such a person's Funeral prayer must be offered. Qadi 'Ayâdh has transmitted from a certain source that all the scholars agree on Funeral prayers of such persons who have been either punished or stoned to death (on a *Shari'a* ruling), the ones having committed suicide, and illegitimate children (born out of wedlock). The Prophet صلى الله عليه وسلم would not attend some of the Funeral prayers but used to instruct people to attend them.

[3] This proves that offering a Funeral prayer at someone's grave is also permissible. It further proves that no time limit is specified in regard to a Funeral prayer. The Prophet صلى الله عليه وسلم offered the Funeral prayer of the Uhud martyrs after eight years of their passing away. It also proves that a Funeral prayer may also be offered as many as two or three times.

Allâh will illuminate them for them because of my prayer on them."

**448.** Narrated Hudhaifa رضي الله عنه: The Prophet صلى الله عليه وسلم used to forbid the announcing[1] of death. [Reported by Ahmad, and At-Tirmidhi who graded it *Hasan*].

(٤٤٨) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَنْهَى عَنِ النَّعْيِ. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

**449.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم announced the death of An-Najâshi (Negus)[2] on the day he died, took them out to the *Musalla* (the place of prayer) and drew them up in rows and uttered the *Takbîr* four times.[3] [Agreed upon].

(٤٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَعَى النَّجَاشِيَّ فِي الْيَوْمِ الَّذِي مَاتَ فِيهِ، وَخَرَجَ بِهِمْ إِلَى الْمُصَلَّى، فَصَفَّ بِهِمْ، وَكَبَّرَ عَلَيْهِ أَرْبَعاً. مُتَّفَقٌ عَلَيْهِ.

**450.** Narrated Ibn 'Abbâs رضي الله عنهما: I have heard the Prophet صلى الله عليه وسلم say: If any Muslim dies and forty men who associate nothing with Allâh offer prayer on him, Allâh will accept them as intercessors[4] for him. [Reported by Muslim].

(٤٥٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «مَا مِنْ رَجُلٍ مُسْلِمٍ يَمُوتُ، فَيَقُومُ عَلَى جَنَازَتِهِ أَرْبَعُونَ رَجُلاً، لاَ يُشْرِكُونَ بِاللَّهِ شَيْئاً، إِلاَّ شَفَّعَهُمُ اللَّهُ فِيهِ». رَوَاهُ مُسْلِمٌ.

**451.** Narrated Samura bin Jundub رضي الله عنه: I prayed behind the Prophet صلى الله عليه وسلم and he prayed on a woman

(٤٥١) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: صَلَّيْتُ وَرَاءَ النَّبِيِّ ﷺ

---

[1] The meaning of نعي *Na'y* is 'to convey the news of someone's death'. It was a custom in the days of *Jahiliya* (pre-Islamic period) that whenever a person of eminence and repute died, the news about his death was announced all over the city. This practice is forbidden. However, one can inform his relatives and pious people to participate in the funeral.

[2] An-Najâshi (Negus) was the title of the Abyssinian (Ethiopian) ruler whose real name was Ashama bin Al-Abjar. The Muslims migrated to him fleeing with their Faith from the suppressions of the infidels at Makka. The Prophet صلى الله عليه وسلم sent him a letter calling him to Islâm with 'Amr bin Umaiya Ad-Damari towards the end of 6 H. or in Muharram 7 H. He received the letter, put it against his eyes, descended from his throne and became a Muslim at the hands of Ja'far bin Abu Tâlib who wrote to the Prophet صلى الله عليه وسلم to that effect. An-Najâshi died in Rajab 9 H. after the expedition of Tabuk and the Prophet صلى الله عليه وسلم offered *Salât-ul-Janâza* on him in absentia. The Prophet صلى الله عليه وسلم then wrote to his successor calling him to Islâm.

[3] This informs us that offering someone's Funeral prayer in the absence of his dead body is permissible. Some people reject it without relying on any evidence.

[4] This explains that the intercession of a Muslim for another Muslim (by way of invocating for his salvation) is acceptable to Allâh.

عَلَى امْرَأَةٍ مَاتَتْ فِي نِفَاسِهَا، فَقَامَ وَسْطَهَا. مُتَّفَقٌ عَلَيْهِ.

who had died in child birth and he stood opposite the middle part[1] of her body. [Agreed upon].

(٤٥٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: وَاللهِ لَقَدْ صَلَّى رَسُولُ اللهِ ﷺ عَلَى ابْنَيْ بَيْضَاءَ فِي الْمَسْجِدِ. رَوَاهُ مُسْلِمٌ.

**452.** Narrated 'Aisha رضي الله عنها: I swear by Allâh, that Allâh's Messenger صلى الله عليه وسلم prayed on (the dead bodies of) the two sons of Baidâ[2] in the mosque[3]. [Reported by Muslim].

(٤٥٣) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبِي لَيْلَى قَالَ: كَانَ زَيْدُ بْنُ أَرْقَمَ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعاً، وَأَنَّهُ كَبَّرَ عَلَى جَنَازَةٍ خَمْساً، فَسَأَلْتُهُ، فَقَالَ: كَانَ رَسُولُ اللهِ ﷺ يُكَبِّرُهَا. رَوَاهُ مُسْلِمٌ. وَالأَرْبَعَةُ.

**453.** Narrated 'Abdur-Rahman bin Abû Laila[4]: Zaid bin Arqam used to utter the *Takbîr* four times on their dead, but once he utter it five times,[5] on a dead body, and I asked him about it. He said, "Allâh's Messenger صلى الله عليه وسلم used to utter those

---

[1] If the dead body belongs to a male, the *Imâm* should stand by his head, and if it belongs to a female, the *Imâm* should stand besides the middle part of her body.

[2] Baidâ' is the nickname of the mother called Da'ad bint Al-Juhdum Al-Fihriya, and her two sons are Sahl and Suhail whom she bore to Wahab bin Rabi'a Al-Qurashi Al-Fihri. Sahl was the one who vetoed the *Sahifa* (see glossary) written by Quraish to boycott Banu Hashim and the Muslims. It was said that he became a Muslim openly in Makka. It was also reported that he concealed his Islamic faith and was forced to join the Quraish army to fight at Badr. He was then captured by the Muslims and 'Abdullah bin Mas'ûd witnessed for him that he had seen him praying at Makka. So he was released and died at Al-Madîna. But Suhail had become a Muslim very early, participated in the *Hijratain* and attended Badr and all the important battles. He died at Al-Madîna in 9H. after the expedition of Tabuk. A third son of Al-Baidâ' is called Safwân who was martyred at Badr, it was also said that he died long after the death of the Prophet صلى الله عليه وسلم.

[3] Some people deem it improper to conduct Funeral prayer in a mosque, but there is no evidence confirming their viewpoint. It is reported through Ibn Abî Shaiba that the Funeral prayer of Abû Bakr رضي الله عنه was led by 'Umar رضي الله عنه in the mosque. It has been reported in *Musnad Sa'îd bin Mas'ûd* that the Funeral prayer of 'Umar رضي الله عنه was led by Suhaib رضي الله عنه in the mosque and that the Funeral prayer of Sa'd bin Abî Waqqâs was offered in the mosque.

[4] He is an Ansâri and a Madani and a Kufi. He was one of the reliable elder *Tabi'in* in terms of *Hadith* reporting. He is nicknamed Abu 'Isa and reported *Ahadith* from a group of the *Sahâba*. He was born at the beginning of the last six years of 'Umar's caliphate. He died in 86 H. at the battle of Al-Jamajim, and it was said that he drowned in Basra river.

[5] The Prophet صلى الله عليه وسلم is reported to have pronounced four, five, six, seven and as many as eight *Takbîr*. 'Umar رضي الله عنه had unified people on four by a common consensus and the same is acted upon to this day.

*Takbirât*." [Reported by Muslim and *Al-Arba'a*].

**454.** Narrated 'Ali رضي الله عنه that he uttered *Takbîr* six times on Sahl bin Hunaif[1] and said, "He was one of the companions who attended the battle of Badr." [Reported by Sa'îd bin Mansur. Its origin is in Al-Bukhâri].

(٤٥٤) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَبَّرَ عَلَى سَهْلِ بْنِ حُنَيْفٍ سِتًّا، وَقَالَ: إِنَّهُ بَدْرِيٌّ. رَوَاهُ سَعِيدُ بْنُ مَنْصُورٍ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

**455.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to utter four *Takbîr* on our dead and recite the opening of the Book (*Sûrat Al-Fâtiha*)[2] after the first *Takbîr*. [Reported by Ash-Shâfi'i through a weak chain of narrators].

(٤٥٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يُكَبِّرُ عَلَى جَنَائِزِنَا أَرْبَعًا، وَيَقْرَأُ بِفَاتِحَةِ الْكِتَابِ فِي التَّكْبِيرَةِ الْأُولَى. رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**456.** Narrated Talha bin 'Abdullâh bin 'Auf[3] (رضي الله عنه): I prayed behind Ibn 'Abbâs (رضي الله عنهما) on a *Janâza* (dead person) and he recited *Fâtihat-ul Kitâb*. He then said, "(I did that) so that you may know it is a *Sunna*."[4] [Reported by Al-Bukhâri].

(٤٥٦) وَعَنْ طَلْحَةَ بْنِ عَبْدِاللَّهِ بْنِ عَوْفٍ، قَالَ: صَلَّيْتُ خَلْفَ ابْنِ عَبَّاسٍ عَلَى جَنَازَةٍ، فَقَرَأَ فَاتِحَةَ الْكِتَابِ، فَقَالَ لِتَعْلَمُوا أَنَّهَا سُنَّةٌ. رَوَاهُ الْبُخَارِيُّ.

**457.** Narrated 'Auf bin Mâlik[5] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم

(٤٥٧) وَعَنْ عَوْفِ بْنِ مَالِكٍ رَضِيَ

[1] Sahal bin Hunaif is an Ansâri, an Ausi (from the tribe of Aus) and a Madani. He attended Badr and all the following battles. He stood firm with the Prophet صلى الله عليه وسلم in the battle of Uhud. Later 'Ali appointed him to govern Basra, and he participated with him in the battle of Siffin. There was a brotherhood bond between 'Ali and him after the *Hijra*. He died in 38 H.

[2] This *Hadîth* stands as an evidence that the recitation of *Sûrat Al-Fâtiha* during a Funeral prayer is compulsory.

[3] Talha was a Zuhri, a Qurashi and a Madani and son of 'Abdur-Rahmân bin 'Auf's brother. He is nicknamed Talha An-Nada and was reliable, learned and memorized many *Ahadîth*. He was among the middle *Tabi'in* and died in 97 H. at the age of 72 years.

[4] In a Funeral prayer, *Sûrat Al-Fâtiha* should be recited with a subdued voice. The reason as to why Ibn Abbâs رضي الله عنهما recited the same with a loud voice was explained by himself as he said, "I recited it aloud so that it becomes known to you all that the observance of the same is *Sunna* (supererogatory)".

[5] 'Auf was a *Sahâbi* from the clan of Ashja' and he first took part in the battle of Khaibar. He carried the flag of Ashja' during the conquest of Makka. He settled in Shâm and died there in 73 H.

اللَّهُ تَعَالَى عَنْهُ قَالَ: صَلَّى رَسُولُ اللهِ ﷺ عَلَى جَنَازَةٍ، فَحَفِظْتُ مِنْ دُعَائِهِ «اللَّهُمَّ اغْفِرْ لَهُ، وَارْحَمْهُ، وَعَافِهِ، وَاعْفُ عَنْهُ، وَأَكْرِمْ نُزُلَهُ، وَوَسِّعْ مُدْخَلَهُ، وَاغْسِلْهُ بِالْمَاءِ، وَالثَّلْجِ، وَالْبَرَدِ. وَنَقِّهِ مِنَ الْخَطَايَا، كَمَا نَقَّيْتَ الثَّوْبَ الأَبْيَضَ مِنَ الدَّنَسِ، وَأَبْدِلْهُ دَاراً خَيْراً مِنْ دَارِهِ، وَأَهْلاً خَيْراً مِنْ أَهْلِهِ، وَأَدْخِلْهُ الْجَنَّةَ، وَقِهِ فِتْنَةَ الْقَبْرِ، وَعَذَابَ النَّارِ». رَوَاهُ مُسْلِمٌ.

prayed on a dead body and I memorized from his supplication,[1] "O Allâh, forgive him, show him mercy, grant him security, pardon him, grant him a noble provision and a spacious lodging, wash him with water, snow, and ice and hail, purify him from sins as the white garment is purified from filth, give him a better abode in place of his present one, a better family in place of his present one, and a better spouse in place of his present one, put him in Paradise and save him from the trial in the grave and the punishment of Hell.[2]" [Reported by Muslim].

(٤٥٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا صَلَّى عَلَى جَنَازَةٍ، يَقُولُ: «اللَّهُمَّ اغْفِرْ لِحَيِّنَا، وَمَيِّتِنَا، وَشَاهِدِنَا، وَغَائِبِنَا، وَصَغِيرِنَا، وَكَبِيرِنَا، وَذَكَرِنَا، وَأُنْثَانَا، اللَّهُمَّ مَنْ أَحْيَيْتَهُ مِنَّا فَأَحْيِهِ عَلَى الإِسْلَامِ، وَمَنْ تَوَفَّيْتَهُ مِنَّا فَتَوَفَّهُ عَلَى الإِيمَانِ، اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ، وَلَا تَفْتِنَّا بَعْدَهُ». رَوَاهُ مُسْلِمٌ وَالأَرْبَعَةُ.

**458.** Narrated Abû Huraira رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم prayed on a dead body, he (صلى الله عليه وسلم) said, "O Allâh, forgive those of us who are living and those of us who are dead, those of us who are present and those of us who are absent, our young and our old, our male and our female. O Allâh, to whomsoever of us You give life, keep him faithful to Islâm, and whomsoever of us You take in death take him as a believer. O Allâh, do not withhold from us the reward of our deeds (because) of him, or try us after his death.[3]" [Reported by Muslim and *Al-Arba'a*].

---

[1] The probability exists that the Prophet صلى الله عليه وسلم might have uttered this invocation aloud and the possibility is that 'Auf رضي الله عنه might himself have enquired of the Prophet صلى الله عليه وسلم regarding the same.

[2] There are different supplications relating to the Funeral prayer have been ascribed to the Prophet صلى الله عليه وسلم. One is free to recite any of them he likes. In case the dead body belongs to a non-adult, he should say: "*Allāhumma ij'alhu lana salafan wa ajran.*" (O Allāh! Make this an anticipation for us and preserve the same as a store of virtues in the Hereafter).

[3] Many supplications of the Funeral prayer are from the Prophet صلى الله عليه وسلم, this one is also one of them and being a short one, is more well-known.

**459.** Narrated (Abû Huraira) رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When you pray on the dead, make a sincere supplication for him."[1] [Abû Dâ'ud reported it. And Ibn Hibbân graded it *Sahih*].

(٤٥٩) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا صَلَّيْتُمْ عَلَى الْمَيِّتِ فَأَخْلِصُوا لَهُ الدُّعَاءَ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**460.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Be quick when carrying a *Janâza*, for if the dead person was good, you will be taking him to a good destination, and if he was otherwise, it is an evil of which you are ridding yourselves."[2] [Agreed upon].

(٤٦٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «أَسْرِعُوا بِالْجَنَازَةِ، فَإِنْ تَكُ صَالِحَةً، فَخَيْرٌ تُقَدِّمُونَهَا إِلَيْهِ، وَإِنْ تَكُ سِوَى ذَلِكَ، فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ». مُتَّفَقٌ عَلَيْهِ.

**461.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who attends a funeral till the prayer is offered for (the dead), for him is the reward of one *Qîrât*, and he who attends (and stays) till it is buried, for him is the reward of two *Qîrât*." It was asked, "What are the *Qîrât*?" He said, "Like two huge mountains." [Agreed upon]. A version by Muslim has: "till it (the dead) is placed in the niche inside the grave."

(٤٦١) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ شَهِدَ الْجَنَازَةَ حَتَّى يُصَلِّيَ عَلَيْهَا فَلَهُ قِيرَاطٌ، وَمَنْ شَهِدَهَا حَتَّى تُدْفَنَ فَلَهُ قِيرَاطَانِ»، قِيلَ: وَمَا الْقِيرَاطَانِ؟ قَالَ: «مِثْلُ الْجَبَلَيْنِ الْعَظِيمَيْنِ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «حَتَّى تُوضَعَ فِي اللَّحْدِ».

And the version of Al-Bukhâri has: "If anyone attends the funeral of a Muslim, out of faith and seeking reward from Allâh, and stays till prayer is offered and the burial is

وَلِلْبُخَارِيِّ: «مَنْ تَبِعَ جَنَازَةَ مُسْلِمٍ إِيمَاناً وَاحْتِسَاباً، وَكَانَ مَعَهَا حَتَّى يُصَلَّى عَلَيْهَا وَيُفْرَغَ مِنْ دَفْنِهَا، فَإِنَّهُ يَرْجِعُ

[1] This makes it clear too that even if the dead body belongs to a sinner, one should exaggerate in recommending him to Allâh in the matter of his forgiveness. Some people maintain that such a person should be cursed. This view point is absolutely erroneous and detestable.

[2] We are thus informed that we must not delay in burying the dead. Some people nowadays delay the burial proceedings which is against Islâmic law.

complete, he will return with a reward of two *Qîrât,* each *Qîrât* being equivalent to Uhud."

بِقِيرَاطَيْنِ، كُلُّ قِيرَاطٍ مِثْلُ جَبَلِ أُحُدٍ».

**462.** Narrated Sâlim[1] on the authority of his father: He saw the Prophet صلى الله عليه وسلم, Abû Bakr and 'Umar walking in front of the funeral.[2] [Reported by *Al-Khamsa*; Ibn Hibbân graded it *Sahih* and An-Nasâ'i and others termed it as *Mursal*].

(٤٦٢) وَعَنْ سَالِمٍ عَنْ أَبِيهِ، أَنَّهُ رَأَى النَّبِيَّ ﷺ وَأَبَا بَكْرٍ وَعُمَرَ، يَمْشُونَ أَمَامَ الْجَنَازَةِ. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ النَّسَائِيُّ وَطَائِفَةٌ بِالإِرْسَالِ.

**463.** Narrated Umm 'Atiya رضى الله عنها: We (women) were forbidden to accompany the funerals, but it was not stressed[3] upon us. (Agreed upon].

(٤٦٣) وَعَنْ أُمِّ عَطِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: نُهِينَا عَنِ اتِّبَاعِ الْجَنَائِزِ، وَلَمْ يُعْزَمْ عَلَيْنَا. مُتَّفَقٌ عَلَيْهِ.

**464.** Narrated Abû Sa'îd (رضى الله عنه): Allâh's Messenger صلى الله عليه وسلم said, "When you see a funeral, stand up and whoever follows it should not

(٤٦٤) وَعَنْ أَبِي سَعِيدٍ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا رَأَيْتُمُ الْجَنَازَةَ فَقُومُوا، فَمَنْ تَبِعَهَا فَلاَ يَجْلِسْ حَتَّى تُوضَعَ». مُتَّفَقٌ عَلَيْهِ.

---

[1] He is Abû 'Abdullâh or Abû 'Umar Sâlim bin 'Abdullah bin 'Umar bin Al-Khattab, one of the leading *Tabi'in* and among their eminent *'Ulamô'*. He was one of the seven *Fiqh* scholars, and was a reliable *Hadîth* reporter, knowledgeable and virtuous. He resembled his father in his religious applications and knowledge. He died in Dhul Qa'da 106 H.

[2] During a funeral procession, whether one should be, ahead of the dead body or behind it. and whether one should be on the right or the left side of it, is in general an optional matter. What is better, is again a moot point as there exists a difference of opinion among the scholars. Bin Mansûr, on the authority of Hasan bin 'Ali رضى الله عنهما has narrated that the reward which one gains out of walking behind the dead body (in a funeral procession) is greater than the one walking ahead of it, the difference may be compared to the reward of individual prayer in comparison to the congregational prayer.

[3] There is a difference of opinions among the scholars concerning whether or not it should be permissible for women to accompany a funeral procession or to go to the graveyard to visit graves. The applicable ruling is that in case there is a possibility of their wailing, lamenting and bemoaning the dead, it should be disallowed. In case such a possibility does not exist, they may be allowed to go.

sit[1] down until it is put down." [Agreed upon].

(٤٦٥) وَعَنْ أَبِي إِسْحَاقَ، أَنَّ عَبْدَ اللهِ ابْنَ يَزِيدَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَدْخَلَ الْمَيِّتَ مِنْ قِبَلِ رِجْلَيِ الْقَبْرِ، وَقَالَ: هٰذَا مِنَ السُّنَّةِ. أَخْرَجَهُ أَبُو دَاوُدَ.

**465.** Narrated Abû Ishâq[2] (رضي الله عنه): 'Abdullâh bin Yazid[3] رضي الله عنه put the dead body in the grave from the side of his legs and said, "This is a *Sunna*." [Reported by Abû Dâ'ud].

(٤٦٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا عَنِ النَّبِيِّ ﷺ، قَالَ: «إِذَا وَضَعْتُمْ مَوْتَاكُمْ فِي الْقُبُورِ، فَقُولُوا: بِسْمِ اللهِ، وَعَلَى مِلَّةِ رَسُولِ اللهِ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالْوَقْفِ.

**466.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "When you place your dead in the grave say, 'In the Name of Allâh, by Allâh's grace, and following the religion of Allâh's Messenger.[4]'" [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i; Ibn Hibbân graded it *Sahih* (sound) and Ad-Dâraqutni termed it as *Mawqûf* (untraceable)].

(٤٦٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى

**467.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said,

[1] The word 'sit' only implies that all the people must make their respective efforts in burying the dead. It should not follow that only the relatives of the dead carry out everything whereas the rest of the people sit idly being silent spectators.

[2] 'Amr bin 'Abdullâh As-Sabi'i Al-Hamdâni Al-Kufi was a prominent *Tabi'i*, narrated many *Ahadith*, but was a *Mudallis* who became senile towards his last years. He was born two years before the end of 'Uthmân's caliphate and died in 129 H.

[3] 'Abdullah bin Yazid was a Khutami, an Ansâri and an Ausi. He attended Al-Hudaibiya at the age of 17 years and was with 'Ali at Al-Jamal and Siffin battles. He settled at Kûfa, became its governor during the time of Ibn Az-Zubair and died in it during his time.

[4] Imâm Baihaqi reported with a weak evidence (in terms of chain of narrators) that while Umm Kulthûm رضي الله عنها, the daughter of the Prophet صلى الله عليه وسلم was being put in the grave, the Prophet صلى الله عليه وسلم recited the following supplication:

منها خلقناكم و فيها نعيدكم و منها نخرجكم تارة أخرى بسم الله و في سبيل الله و على ملة رسول الله. (طـه : ٥٥)

"There of (the earth) We created you, and into it We shall return you, and from it We shall bring you out once again. (V.20:55). In the Name of Allâh, in the cause of Allâh and in the nation of the Messenger of Allâh (is hereby this dead body being buried)."

There are also many other supplications mentioned in *Ahadith*, which one may recite according to his liking.

"Breaking a dead person's bone is like breaking it when he is alive." [Reported by Abû Dâ'ud through a chain of narrators conforming with the conditions laid down by Muslim]. And in the version of Ibn Mâjah narrated by Umm Salma (رضی الله عنها) is: "as regards the sin."

عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «كَسْرُ عَظْمِ الْمَيِّتِ كَكَسْرِهِ حَيًّا». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ عَلَى شَرْطِ مُسْلِمٍ، وَزَادَ ابْنُ مَاجَهْ مِنْ حَدِيثِ أُمِّ سَلَمَةَ: «فِي الْإِثْمِ».

**468.** Narrated Sa'd bin Abi Waqqâs رضی الله عنه: He said, "Make a niche for me in the side of the grave, and set up unbaked bricks over me (my grave) as done with Allâh's Messenger صلى الله عليه وسلم.[1]" [Reported by Muslim].

(٤٦٨) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أَلْحِدُوا لِي لَحْداً وَانْصِبُوا عَلَيَّ اللَّبِنَ نَصْباً، كَمَا صُنِعَ بِرَسُولِ اللهِ ﷺ. رَوَاهُ مُسْلِمٌ.

Al-Baihaqi reported something similar to the above on the authority of Jâbir and added: "And his grave was raised about one span[2] from the ground." [Ibn Hibbân graded it *Sahih*].

وَلِلْبَيْهَقِيِّ عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ، وَزَادَ: وَرُفِعَ قَبْرُهُ عَنِ الْأَرْضِ قَدْرَ شِبْرٍ. وَصَحَّحَهُ ابْنُ حِبَّانَ.

Narrated (Jâbir) رضی الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade graves to be plastered with gypsum, any erection to be built over them,[3] or to

وَلِمُسْلِمٍ عَنْهُ: نَهَى رَسُولُ اللهِ ﷺ، أَنْ يُجَصَّصَ الْقَبْرُ، وَأَنْ يُقْعَدَ عَلَيْهِ، وَأَنْ يُبْنَى عَلَيْهِ.

[1] This *Hadîth* carries an evidence that the grave prepared for the Prophet صلى الله عليه وسلم was a "*Lahd*". The Companions of the Prophet صلى الله عليه وسلم differed in their opinions whether his grave should be a *Lahd* or a *Shiq*. There were two undertakers (grave-diggers) in Al-Madîna those days, one specialising in digging *Lahd* and the other one specialising in digging *Shiq*. It was agreed among the Companions of the Prophet صلى الله عليه وسلم that whosoever (among the grave-diggers) comes first, should start his work. Hence the one specialising in digging *Lahd* came first and prepared the grave accordingly.

[2] It is against *Shari'a* (Islamic law) to raise the stature of a grave more than a *Shibr* (the span of a hand). The grave of the Prophet صلى الله عليه وسلم was of the same stature. At first, it was in a flat shape but once the walls of Prophet's room had fallen down (out of disrepair or decay). Walîd bin 'Abdul-Malik got the walls repaired and had the grave re-built in the shape of a camel-hump. The graves of Abu Bakr and 'Umar Farooq رضی الله عنهما are also hump-shaped.

[3] Tirmidhi also includes the words that the graves should not bear any inscription, nc construction be made on them and they should not be trampled upon. This *Hadîth* has been

be sat on them. [Reported by Muslim].

**469.** Narrated 'Aamir bin Rabi'a رضي الله عنه: The Prophet صلى الله عليه وسلم prayed on the body of 'Uthmân bin Maz'ûn[1], then went to his grave and threw three handfuls of earth over it while standing. [Reported by Ad-Dâraqutni].

(٤٦٩) وَعَنْ عَامِرِ بْنِ رَبِيعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَى عُثْمَانَ ابْنِ مَظْعُونٍ، وَأَتَى الْقَبْرَ، فَحَثَى عَلَيْهِ ثَلَاثَ حَثَيَاتٍ، وَهُوَ قَائِمٌ. رَوَاهُ الدَّارَقُطْنِيُّ.

**470.** Narrated 'Uthmân (bin 'Affân) رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم finished burying the dead, he stood by the grave and said, "Ask forgiveness for your brother and then ask that he may be strengthened[2] for he is being questioned now." [Abû Dâ'ud reported it and Al-Hâkim graded it *Sahih* (sound)].

(٤٧٠) وَعَنْ عُثْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا فَرَغَ مِنْ دَفْنِ الْمَيِّتِ وَقَفَ عَلَيْهِ، وَقَالَ: **اسْتَغْفِرُوا لِأَخِيكُمْ، وَسَلُوا لَهُ التَّثْبِيتَ، فَإِنَّهُ الْآنَ يُسْأَلُ**. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**471.** Narrated Damra bin Habib[3] — one of the *Tâbi'in*: They (the Companions) used to prefer to say after the grave is levelled and the people had left; "O so–and–so say: *Lâ ilâha ill-Allah* (There is no God but Allâh) three times, O so–and–so say: My *Rabb* is Allâh, my religion is

(٤٧١) وَعَنْ ضَمْرَةَ بْنِ حَبِيبٍ - أَحَدِ التَّابِعِينَ - قَالَ: كَانُوا يَسْتَحِبُّونَ إِذَا سُوِّيَ عَلَى الْمَيِّتِ قَبْرُهُ وَانْصَرَفَ النَّاسُ عَنْهُ، أَنْ يُقَالَ عِنْدَ قَبْرِهِ: يَا فُلَانُ! قُلْ لَا إِلَهَ إِلَّا اللَّهُ، ثَلَاثَ مَرَّاتٍ، يَا فُلَانُ! قُلْ: رَبِّيَ اللَّهُ، وَدِينِي

quoted to be as *Sahih* (sound) by Tirmidhi. An-Nasâ'i reports that no soil should be thrown over it except the one that has been excavated out of it.

[1] 'Uthmân was a Jumahi and a Qurashi. He was one of the virtuous and ascetic *Sahâba* and had prohibited alcohol to himself during the *Jahiliya* days. He was the 14th man to become a Muslim, made the two migrations and fought at Badr. He was the first person to die in Al-Madina among the *Muhajirin*. His death occurred in Sha'ban the 30th month after the *Hijra* and he was buried at Al-Baqi'. The Prophet صلى الله عليه وسلم kissed his face after his death and said after he was buried, "He is a good predecessor for us."

[2] It thus becomes known to us that after the burial, making an invocation for the forgiveness of a dead man's sins and to pray for his steadfastness while facing the querries in the grave is *Mustahab* (desirable) and *Masnûn* (supererogatory).

[3] Abu 'Utba Damra bin Habib bin Suhaib Az-Zubaidi Al-Himsi is a reliable *Tabi'i* of the fourth grade.

Islâm and my Prophet is Muhammad صلى الله عليه وسلم." [Reported by Sa'îd bin Mansûr as a *Mawqûf* (untraceable). At-Tabarâni reported the same by Abû Umâma as a *Marfu'* (traceable)].

الإسلامُ، ونبيّ مُحَمَّدٌ ﷺ. رواه سعيدُ بنُ منصورٍ موقوفاً، وللطبرانيّ نحوُهُ من حديثِ أبي أمامةَ مرفوعاً مطوّلاً.

**472.** Narrated Buraida bin Husaib Al-Aslami رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "I had forbidden you to visit the graves, but you may now visit them.[1]" [Reported by Muslim]. At-Tirmidhi added to the above: "For it reminds one about the Hereafter." Ibn Mâjah also added to it from Ibn Mas'ûd: "and it makes one overlook the worldly pleasures."

(٤٧٢) وعن بُريدةَ بنِ الحُصيبِ الأسلميّ رضيَ اللهُ تعالى عنهُ قال: قال رسولُ اللهِ ﷺ: **«كنتُ نهيتُكم عن زيارةِ القبورِ، فزوروها»**. رواه مسلمٌ. زاد الترمذيُّ: **«فإنّها تذكّرُ الآخرةَ»**. زاد ابنُ ماجه من حديثِ ابنِ مسعودٍ: **«وتُزهّدُ في الدنيا»**.

**473.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم cursed[2] the women who visit the graves. [At-Tirmidhi reported it and Ibn Hibbân graded it *Sahih*].

(٤٧٣) وعن أبي هريرةَ رضيَ اللهُ تعالى عنهُ، أنّ رسولَ اللهِ ﷺ لعنَ زائراتِ القبورِ. أخرجه الترمذيُّ، وصحّحه ابنُ حبّان.

**474.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allah's Messenger صلى الله عليه وسلم cursed the wailing woman and the woman who listens to her. [Reported by Abû Dâ'ud].

(٤٧٤) وعن أبي سعيدٍ الخدريّ رضيَ اللهُ تعالى عنهُ قال: لعنَ رسولُ اللهِ ﷺ النائحةَ والمستمعةَ. أخرجه أبو داود.

**475.** Narrated Umm 'Atiya رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم took a promise from us that we would not wail (if bereaved).[3] [Agreed upon].

(٤٧٥) وعن أمّ عطيّةَ رضيَ اللهُ تعالى عنها قالت: أخذ علينا رسولُ اللهِ ﷺ أن لا ننوحَ. متّفقٌ عليه.

---

[1] The visiting of graves falls within the category of desirables and not the compulsories. But, the visiting of the graves belonging to one's parents is certainly stressed upon. One should attend their graves and make supplications to Allâh for them.

[2] There is a difference of opinions among the scholars whether or not the women should go to visit graves. It is better that the women do not go there.

[3] This *Hadîth* tells us that the wailing, bemoaning and lamenting over the dead is forbidden. An emotional outburst of tears due to the feeling of sorrow is not prohibited as it only

**476.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said: "The dead is punished in the grave[1] because of wailing on it." [Agreed upon]. Same *Hadîth* has been narrated by Al-Mughira bin Shu'ba in the versions of both Al-Bukhâri and Muslim.

(٤٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «الْمَيِّتُ يُعَذَّبُ فِي قَبْرِهِ بِمَا نِيحَ عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ، وَلَهُمَا نَحْوُهُ عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ.

**477.** Narrated Anas رضي الله عنه: I witnessed the burial of a daughter of the Prophet صلى الله عليه وسلم and Allâh's Messenger صلى الله عليه وسلم was sitting beside the grave and I saw his eyes shedding tears.[2] [Reported by Al-Bukhâri].

(٤٧٧) وَعَنْ أَنَسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ بِنْتاً لِلنَّبِيِّ ﷺ تُدْفَنُ، وَرَسُولُ اللّٰهِ ﷺ جَالِسٌ عِنْدَ الْقَبْرِ، فَرَأَيْتُ عَيْنَيْهِ تَدْمَعَانِ. رَوَاهُ الْبُخَارِيُّ.

**478.** Narrated Jabir رضي الله عنه: The Prophet صلى الله عليه وسلم said: "Do not bury your dead at night[3] unless you are forced to." [Ibn Mâjah reported it]. Its origin is in Muslim's *Sahih* but he

(٤٧٨) وَعَنْ جَابِرٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا تَدْفِنُوا مَوْتَاكُمْ بِاللَّيْلِ إِلَّا أَنْ تُضْطَرُّوا إِلَيْهِ». أَخْرَجَهُ ابْنُ

---

alludes to the tenderness of one's heart, which means that the prohibition does not apply on the actions of one's eyes. It only involves the actions of one's hands and tongue.

[1] A dead man incurring torment due to the people's mourning apparently contravenes the Qur'ânic verse لا تزر وازرة وزر أخرى (No one laden with burdens can bear another's burden). It alludes to certain situation whereby the mourning is observed in the houses of some rich people as a matter of pride and pomp. Some people leave their will to the effect that their death be mourned over, whereas some of them merely express their willingness to be mourned over. In these situations, the dead shall have to bear the torment. In case the dead person forbids his funeral to be mourned (in his lifetime), he will not be subjected to torment. Therefore, a man should disallow and forbid others against conducting such a mourning after his death.

[2] This tells us that the weeping and the falling down of one's tears out of sorrow is not forbidden. When the son of the Prophet صلى الله عليه وسلم, Ibrâhim passed away, the tears were streaming down his eyes. Upon seeing this, 'Abdur-Rahmân bin 'Auf رضي الله عنه said, "O Messenger of Allâh, do you weep too?" The Prophet صلى الله عليه وسلم answered, "This is out of affection and not lack of patience."

[3] This has many reasons. One of the reasons is that not many people can participate in a funeral at night. Another reason is to keep people intact from the harm of earthly insects that usually frequent such places like graveyard at night.

said: "He (صلى الله عليه وسلم) rebuked that a man be buried at night until prayer is offered on him."

ماجَهْ، وَأَصْلُهُ فِي مُسْلِمٍ، لَكِنْ قَالَ: زَجَرَ أَنْ يُقْبَرَ الرَّجُلُ فِي اللَّيْلِ حَتَّى يُصَلَّى عَلَيْهِ.

**479.** Narrated 'Abdullâh bin Ja'far[1] رضى الله عنه: When the news of Ja'far's death came, Allah's Messenger صلى الله عليه وسلم said: "Prepare food for Ja'far's family, for they have heard something that preoccupies[2] them." [Reported by *Al-Khamsa* except An-Nasâ'i].

(٤٧٩) وَعَنْ عَبْدِ اللهِ بْنِ جَعْفَرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمَّا جَاءَ نَعْيُ جَعْفَرٍ، حِينَ قُتِلَ، قَالَ رَسُولُ اللهِ ﷺ، **«اِصْنَعُوا لآلِ جَعْفَرٍ طَعَاماً، فَقَدْ أَتَاهُمْ مَا يَشْغَلُهُمْ»**. أَخْرَجَهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ.

**480.** Narrated Sulaiman bin Buraida[3] (رضى الله عنه) on the authority of his father: Allâh's Messenger صلى الله عليه وسلم used to teach his Companions to say when they went out to the cemeteries, "Peace be upon you, inhabitants of the dwellings who are of the members

(٤٨٠) وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ **يُعَلِّمُهُمْ** إِذَا خَرَجُوا إِلَى الْمَقَابِرِ، أَنْ يَقُولُوا: السَّلَامُ عَلَى أَهْلِ الدِّيَارِ مِنَ الْمُؤْمِنِينَ وَالْمُسْلِمِينَ، وَإِنَّا إِنْ شَاءَ اللَّهُ بِكُمْ لَاحِقُونَ، نَسْأَلُ اللَّهَ لَنَا وَلَكُمُ

---

[1] He is Ja'far bin Abu Tâlib, the elder brother of 'Ali, who was older than him by ten years. He migrated to Abyssinia (Ethiopia) and stayed there where by An-Najâshi and those who followed him became Muslims through him. Then he migrated to Al-Madîna and reached Khaibar after its conquest. The Prophet صلى الله عليه وسلم kissed him between his eyes and said, "I don't know whether I am more happy with the arrival of Ja'far or with the conquest of Khaibar?" Ja'far was one of the most generous people. He was martyred in the battle of Mu'ta in 8 H. while he was the army commander. Both of his hands were cut off, and the Prophet صلى الله عليه وسلم said, "Allâh gave him in the place of his hands two wings with which he flies wherever he wishes in Paradise." And from those he was called "Ja'far the flier" and "Ja'far the two-winged".

[2] This *Hadith* is an evidence that feeding the relatives of deceased person is *Sunna* (supererogatory). In terms of rights concerning this, neighbours are the foremost. Offering food on the first day is *Sunna* (supererogatory), on the second day, it is *Makruh* (undesirable), whereas the same is forbidden on the third day. In case the women belonging to a house in which the food is being prepared are themselves the mourners, then the viewpoints of the scholars concerning this food are different. The practice of gathering into the deceased person's house on the part of the relatives and thereby providing themselves to be an unnecessary burden upon the family of the deceased person, which is very much in vogue nowadays is extremely bad.

[3] He is Ibn Al-Husaib and is an Aslami and a Marwazi. He was a *Tabi'i* whose reliability was verified by Ibn Ma'in and Abu Hâtim. Al-Hâkim said, "He did not mention having heard a *Hadîth* from his father." Al-Khazraji said, "The *Hadîth* that he narrated from his father are in a number of places in Muslim."

of the believers and the Muslims. If Allâh wills, we shall join you. We ask Allâh to grant us and you well being". [Reported by Muslim].

الْعَافِيَةَ. رَوَاهُ مُسْلِمٌ.

**481.** Narrated Ibn 'Abbâs رضى الله عنهما: When Allâh's Messenger صلى الله عليه وسلم passed by some graves in Al-Madîna he turned his face towards them and said, "Peace be upon you, inhabitants of the graves. May Allâh forgive us and you, you have gone before us and we are coming after you.[1]" [At-Tirmidhi reported and graded it *Hasan*].

(٤٨١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَرَّ رَسُولُ اللهِ ﷺ بِقُبُورِ الْمَدِينَةِ فَأَقْبَلَ عَلَيْهِمْ بِوَجْهِهِ، فَقَالَ: «السَّلَامُ عَلَيْكُمْ، يَا أَهْلَ الْقُبُورِ! يَغْفِرُ اللَّهُ لَنَا وَلَكُمْ، أَنْتُمْ سَلَفُنَا، وَنَحْنُ بِالْأَثَرِ». رَوَاهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

**482.** Narrated 'Aisha رضى الله عنها: Allâh's Messenger صلى الله عليه وسلم said: "Do not revile the dead, for they have reached what they have sent before them." [Al-Bukhâri reported it]. A version of At-Tirmidhi narrated by Al-Mughira has the same wording but added: "lest you hurt the living.[2]"

(٤٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَسُبُّوا الْأَمْوَاتَ، فَإِنَّهُمْ قَدْ أَفْضَوْا إِلَى مَا قَدَّمُوا». رَوَاهُ الْبُخَارِيُّ، وَرَوَى التِّرْمِذِيُّ عَنِ الْمُغِيرَةِ نَحْوَهُ، لَكِنْ قَالَ: «فَتُؤْذُوا الْأَحْيَاءَ».

[1] Going to the graveyard and making supplications to Allâh for the forgiveness of the dead is *Sunna* and proven by several *Ahadîth*. One can go to graveyard keeping in view just two purposes: a) Making supplications to Allâh in favour of the dead. b) To remember death.

Whoever goes to the graveyard pursuing a purpose other than the ones mentioned above, (i.e., lamenting, seeking redress, making bowings and prostrations and asking for the fulfillment of their wishes, etc.), his attending of the graveyard is forbidden and unlawful.

[2] This *Hadîth* tells us that it is prohibited to remember the deceased person with bad things or vices and disseminating the same among people, but this ruling is specifically restricted to the Muslims and pious people.

# 4. THE BOOK OF *ZAKAT*[1]

# ٤ - كِتَابُ الزَّكَاةِ

**483.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم sent Mu'âdh رضي الله عنه to Yemen — he mentioned the rest of the *Hadîth* which has: "Allâh has made obligatory for them, in their wealth, a *Sadaqa* to be taken from their rich and handed over to their poor."[2] [Agreed upon and the version is of Al-Bukhâri].

(٤٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ بَعَثَ مُعَاذاً رَضِيَ اللَّهُ تَعَالَى عَنْهُ إِلَى الْيَمَنِ، فَذَكَرَ الْحَدِيثَ، وَفِيهِ: «**إِنَّ اللَّهَ قَدِ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ، تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ، فَتُرَدُّ عَلَى فُقَرَائِهِمْ**». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**484.** Narrated Anas رضي الله عنه that Abû Bakr As-Siddiq رضي الله عنه wrote him (this letter): 'This is the obligatory *Sadaqa* which Allâh's Messenger صلى الله عليه وسلم imposed on the Muslims[3] which Allâh commanded him to impose.[4] For every twenty-four camels or less, a sheep is to be given for every five. When they reach twenty-five to thirty-five, a she-camel in her second year[5] is to be given; if there is no she-camel, a he-camel in his third year is to be given. When

(٤٨٤) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أن أبا بكر رضي الله عنه كَتَبَ لَهُ: هٰذِهِ فَرِيضَةُ الصَّدَقَةِ، الَّتِي فَرَضَهَا رَسُولُ اللهِ ﷺ عَلَى الْمُسْلِمِينَ، وَالَّتِي أَمَرَ اللَّهُ بِهَا رَسُولَهُ: «فِي كُلِّ أَرْبَعٍ وَعِشْرِينَ مِنَ الإِبِلِ فَمَا دُونَهَا الْغَنَمُ: فِي كُلِّ خَمْسٍ شَاةٌ، فَإِذَا بَلَغَتْ خَمْساً وَعِشْرِينَ إِلَى خَمْسٍ وَثَلَاثِينَ، فَفِيهَا بِنْتُ مَخَاضٍ أُنْثَى، فَإِنْ لَّمْ تَكُنْ فَابْنُ لَبُونٍ ذَكَرٌ.

[1] The meaning of *Zakât* is "to increase and to become pure". Because the payment of *Zakât* leads to an increase in wealth and considered to be a reason for its cleansing, this obligation has been named *Zakât* by the *Shari'a* (Islamic law). *Zakât* was declared an obligation in the year 2 H., prior to the proclamation of the ruling concerning fasting.

[2] It becomes thus known to us that *Zakât* is obligatory on the rich among the Muslims. This is meant to provide a financial assistance to the poor Muslims and that the same cannot be given to the disbelievers. We are further informed that the *Zakât* originating from a certain city should be distributed among the poor belonging to the same city itself.

[3] When Abû Bakr Siddiq رضي الله عنه sent Anas رضي الله عنه deputing him as the Governor of Bahrain, he gave him these instructions regarding *Zakât* in a written form.

[4] This narration, in terms of its authenticity (i.e., in the context of the chain of narrators), is absolutely sound. In terms of text, it is conspicuously clear and there is a consensus of the Companions of the Prophet صلى الله عليه وسلم on its validity. None of the Companions of the Prophet صلى الله عليه وسلم is reported to have refuted it.

[5] *Bint Makhâd* بنت مخاض is a term used for a she-camel which is of one year and is in the second year of its age.

they reach thirty-six to forty-five, a she-camel in her third year is to be given. When they reach forty-six to sixty, a she-camel in her fourth year[1] which is ready to be mated with by a stallion-camel is to be given. When they reach sixty-one to seventy-five, a she-camel in her fifth year is to be given. When they reach seventy-six to ninety, two she-camels in their third year are to be given. When they reach ninety-one to a hundred and twenty, two she-camels in their fourth year which are ready to be mated with by a stallion-camel are to be given. When they exceed a hundred and twenty, a she-camel in her third year is to be given for every forty and a she-camel in her fourth year for every fifty. If anyone has only four camels, no *Sadaqa* is payable on them unless their owner wishes. Concerning the *Sadaqa* on sheep which are pasturing, when they number from forty to a hundred and twenty, a sheep is to be given. On over a hundred and twenty up to two hundred, two sheep are to be given. On over two hundred up to three hundred, three sheep are to be given. If they exceed three hundred, a sheep is to be given for every hundred. If a man's pasturing sheep are one less than forty, no *Sadaqa* is due on them unless their owner wishes. Those which are separate flocks are not to be brought together and those which are in one flock are not to be separated[2] from fear of

فَإِذَا بَلَغَتْ سِتًّا وَثَلاثِينَ، إِلَى خَمْسٍ وَأَرْبَعِينَ فَفِيهَا بِنْتُ لَبُونٍ أُنْثَى. فَإِذَا بَلَغَتْ سِتًّا وَأَرْبَعِينَ، إِلَى سِتِّينَ، فَفِيهَا حِقَّةٌ طَرُوقَةُ الْجَمَلِ. فَإِذَا بَلَغَتْ وَاحِدَةً وَسِتِّينَ، إِلَى خَمْسٍ وَسَبْعِينَ، فَفِيهَا جَذَعَةٌ. فَإِذَا بَلَغَتْ سِتًّا وَسَبْعِينَ، إِلَى تِسْعِينَ، فَفِيهَا بِنْتَا لَبُونٍ. فَإِذَا بَلَغَتْ إِحْدَى وَتِسْعِينَ، إِلَى عِشْرِينَ وَمِائَةٍ، فَفِيهَا حِقَّتَانِ طَرُوقَتَا الْجَمَلِ. فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ، فَفِي كُلِّ أَرْبَعِينَ بِنْتُ لَبُونٍ، وَفِي كُلِّ خَمْسِينَ حِقَّةٌ. وَمَنْ لَمْ يَكُنْ مَعَهُ إِلاَّ أَرْبَعٌ مِنَ الإِبِلِ، فَلَيْسَ فِيهَا صَدَقَةٌ، إِلاَّ أَنْ يَشَاءَ رَبُّهَا. وَفِي صَدَقَةِ الْغَنَمِ، فِي سَائِمَتِهَا: إِذَا كَانَتْ أَرْبَعِينَ، إِلَى عِشْرِينَ وَمِائَةٍ شَاةٌ، شَاةٌ. فَإِذَا زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ إِلَى مِائَتَيْنِ، فَفِيهَا شَاتَانِ. فَإِذَا زَادَتْ عَلَى مِائَتَيْنِ، إِلَى ثَلاثِمِائَةٍ، فَفِيهَا ثَلاثُ شِيَاهٍ. فَإِذَا زَادَتْ عَلَى ثَلاثِمِائَةٍ، فَفِي كُلِّ مِائَةٍ، شَاةٌ. فَإِذَا كَانَتْ سَائِمَةُ الرَّجُلِ نَاقِصَةً عَنْ أَرْبَعِينَ شَاةً، شَاةً، وَاحِدَةً، فَلَيْسَ فِيهَا صَدَقَةٌ، إِلاَّ أَنْ يَشَاءَ رَبُّهَا، وَلاَ يُجْمَعُ بَيْنَ مُتَفَرِّقٍ، وَلاَ يُفَرَّقُ بَيْنَ مُجْتَمِعٍ، خَشْيَةَ الصَّدَقَةِ. وَمَا كَانَ مِنْ خَلِيطَيْنِ، فَإِنَّهُمَا يَتَرَاجَعَانِ بَيْنَهُمَا بِالسَّوِيَّةِ. وَلاَ يُخْرَجُ فِي الصَّدَقَةِ هَرِمَةٌ، وَلاَ ذَاتُ عَوَارٍ، وَلاَ تَيْسٌ، إِلاَّ أَنْ يَشَاءَ الْمُصَدِّقُ. وَفِي الرِّقَةِ:

[1] *Hiqqa* حقة is a term used for a she-camel which is three-year-old, running in its fourth year and is capable of mating.

[2] 'To separate cases of *Zakât*' may be exemplified as follows:

*Sadaqa*. Regarding what belongs to two partners, they can make claims for restitution from one another with equity.[1] An old sheep, one with a defect in the eye, or a male goat is not to be brought forth as *Sadaqa* unless the collector wishes.[2] On silver: For two hundred Dirhams,[3] a fortieth is payable, but if there are only a hundred and ninety nothing is payable unless their owner wishes. If anyone, whose camels reach the number for which a she-camel in her fifth year is payable, does not possess one but possesses one in her fourth year,[4] that will be accepted from him along with two sheep if he can conveniently give them, or else twenty Dirhams. If

فِي مِائَتَي دِرْهِمٍ، رُبُعُ الْعُشْرِ، فَإِنْ لَمْ تَكُنْ إِلاَّ تِسْعِينَ وَمِائَةً، فَلَيْسَ فِيهَا صَدَقَةٌ، إِلاَّ أَن يَشَاءَ رَبُّهَا. وَمَنْ بَلَغَتْ عِنْدَهُ مِنَ الإِبِلِ صَدَقَةُ الْجَذَعَةِ، وَلَيْسَتْ عِنْدَهُ جَذَعَةٌ، وَعِنْدَهُ حِقَّةٌ، فَإِنَّهَا تُقْبَلُ مِنْهُ الْحِقَّةُ، وَيَجْعَلُ مَعَهَا شَاتَيْنِ إِنِ اسْتَيْسَرَتَا لَهُ، أَوْ عِشْرِينَ دِرْهَماً. وَمَنْ بَلَغَتْ عِنْدَهُ صَدَقَةُ الْحِقَّةِ، وَلَيْسَتْ عِنْدَهُ الْحِقَّةُ، وَعِنْدَهُ الْجَذَعَةُ. فَإِنَّهَا تُقْبَلُ مِنْهُ الْجَذَعَةُ، وَيُعْطِيهِ الْمُصَدِّقُ عِشْرِينَ دِرْهَماً أَوْ شَاتَيْنِ. رَوَاهُ الْبُخَارِيُّ.

---

There are two persons owning a flock of fifty goats each. Hence they are required to give one goat each out of their respective shares. If both of these persons merge their flocks into one, they can save one goat collectively as the *Zakât* payable on 100 goats will still be one goat.

'To separate a unified case of *Zakât*' may be exemplified as follows:

Two persons own a flock of fifty goats (on an equal partnership basis). Therefore one goat among these shall be payable as *Zakât*. If they split the flock into 25 goats each, they may avoid the *Zakât*, as there is no *Zakât* payable if their number is less than forty. Similarly, a person who is authorized to collect *Zakât* payment, should not either split or gather the belonging of people, i.e., in case two people own a herd of 30 goats each, and are exempted from *Zakât*, he should not gather these goats and treat them as one single flock to claim one goat out of it.

[1] For instance, two person own 140 goats. One of them owns forty and another one a hundred. Therefore, two of these goats are to be given away as *Zakât*. Now, if the owner of forty goats addresses the other person and says, "You'd better make a payment of one goat and a half, whereas I shall pay for the rest of the half goat", is a wrong demand. The ruling is that the owner of 40 goats will have to pay one full goat and the owner of 100 goats will also have to give away one goat only as *Zakât*.

[2] It means that the one who is giving *Zakât* should not try to give away defective and bogus items and the receiving person should not exert himself in taking the best only. The goods given away as such should be of a moderate quality.

[3] 1/12th of one *Úqiya* of gold (in value).

[4] *Jadha'a* جذعة is a term used for a she-camel which is four-year-old and entering in fifth year.

anyone whose camels reach the number for which a she-camel in her fourth year[1] is payable does not possess one but possesses one in her fifth year, that will be accepted from him, and the collector must give him twenty Dirhams or two sheep.' [Reported by Al-Bukhâri].

**485.** Narrated Mu'âdh bin Jabal رضي الله عنه: The Prophet صلى الله عليه وسلم sent him to Yemen, and ordered him to take a one-yeAr-old male or female calf for every thirty cattle and a cow in its third year[2] for every forty, and one Dinâr for every adult (disbeliever as *Jizya*)[3] or clothes of equivalent value manufactured in Yemen. [Reported by *Al-Khamsa*, the version is of Ahmad and At-Tirmidhi graded it *Hasan*, but mentioned that it has been differed on it being *Mausul* or not. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

**(٤٨٥)** وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ بَعَثَهُ إِلَى الْيَمَنِ، فَأَمَرَهُ أَنْ يَأْخُذَ مِنْ كُلِّ ثَلَاثِينَ بَقَرَةً تَبِيعاً أَوْ تَبِيعَةً، وَمِنْ كُلِّ أَرْبَعِينَ مُسِنَّةً، وَمِنْ كُلِّ حَالِمٍ دِينَاراً، أَوْ عَدْلَهُ مَعَافِرِيّاً. رَوَاهُ الْخَمْسَةُ، وَاللَّفْظُ لِأَحْمَدَ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَأَشَارَ إِلَى اخْتِلَافٍ فِي وَصْلِهِ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**486.** Narrated 'Amr bin Shu'aib on his father's authority from his grand father (رضي الله عنهم): Allâh's Messenger صلى الله عليه وسلم said, "The *Sadaqât* of the Muslims are to be received at their watering points." [Reported by Ahmad]. Abû Dâ'ud also has: "Their *Sadaqât* are to be received only at their dwellings."

**(٤٨٦)** وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**تُؤْخَذُ صَدَقَاتُ الْمُسْلِمِينَ عَلَى مِيَاهِهِمْ**». رَوَاهُ أَحْمَدُ. وَلِأَبِي دَاوُدَ: «**وَلَا تُؤْخَذُ صَدَقَاتُهُمْ إِلَّا فِي دُورِهِمْ**».

[1] *Hiqqa* حقة is a term used for a she-camel which is three-year-old and entering its fourth.

[2] Cows and buffaloes are the same species. All of them, of different sexes and ages, shall be included in the head count. No *Zakât* is obligatory if someone owns less than thirty cows. Upon the ownership of 30 cows, one has to pay one-year-old calf. If the number of cows owned is between 40 and 69, the *Zakât* shall be a two-year-old calf. If the number of the cattle owned is 70, the same shall be the *Zakât* i.e. a one-year-old calf in addition to a two-year-old calf.

[3] A head tax paid by a non-Muslim living in an Islâmic state.

**487.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "No *Sadaqa* is due from a Muslim on his slave or his horse." [Reported by Al-Bukhâri]. In the version of Muslim is: "There is no *Sadaqa* on a slave except *Sadaqat-ul-Fitr*."

(٤٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ عَلَى الْمُسْلِمِ فِي عَبْدِهِ وَلاَ فِي فَرَسِهِ صَدَقَةٌ». رَوَاهُ الْبُخَارِيُّ. وَلِمُسْلِمٍ: لَيْسَ فِي الْعَبْدِ صَدَقَةٌ، إِلاَّ صَدَقَةَ الْفِطْرِ.

**488.** Narrated Bahz[1] bin Hakim on his father's[2] authority from his grandfather[3] (رضي الله عنهم): Allâh's Messenger صلى الله عليه وسلم said, "For forty pasturing camels,[4] one she-camel in her third year is to be given. The camels are not to be separated during the counting process. He who pays *Zakât* with the intention of getting reward will be rewarded. If anyone evades *Zakât*, we shall take it together with half of his property as a due of those imposed by our *Rabb*, the Exalted. There is no share in it (*Zakât*) for the family of Muhammad." [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i, and Al-Hâkim graded it *Sahih*]. Ash-Shafi'i[5] commented that it can

(٤٨٨) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «فِي كُلِّ سَائِمَةِ إِبِلٍ: فِي أَرْبَعِينَ بِنْتُ لَبُونٍ، لاَ تُفَرَّقُ إِبِلٌ عَنْ حِسَابِهَا، مَنْ أَعْطَاهَا، مُؤْتَجِراً بِهَا، فَلَهُ أَجْرُهَا، وَمَنْ مَنَعَهَا، فَإِنَّا آخِذُوهَا وَشَطْرَ مَالِهِ، عَزْمَةً مِنْ عَزَمَاتِ رَبِّنَا، لاَ يَحِلُّ لآلِ مُحَمَّدٍ مِنْهَا شَيْءٌ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ، وَعَلَّقَ الشَّافِعِيُّ الْقَوْلَ بِهِ عَلَى ثُبُوتِهِ.

---

[1] Abû 'Abdul Malik Bahz bin Hakim bin Mu'âwiya bin Haida Al-Qushairi Al-Basri was a *Tabi'i* of the sixth grade. His reliability has been disputed. Abû Dâ'ud said, "His *Ahadîth* are authentic."Also Ibn Ma'in, Ibn Al-Madini and An-Nasâ'i approved him. But Abû Hâtim said, "He is not an authority (in *Hadîth*)." Ibn Hibbân also said, "He used to err a lot in the *Hadîth*." He died after the one hundred forties of Hijra or before the sixties.

[2] He is also a *Tabi'i* and Ibn Hibbân included him among the reliable *Hadîth* reporters.

[3] Mu'âwiya bin Haida bin Mu'âwiya bin Qushair bin Ka'b Al-Qushairi was a *Sahâbi* who settled at Basra and he had some *Ahadîth*.

[4] The condition of *Zakât* concerning the cattle is that they should be sound and robust enough to graze for themselves. This condition has specifically mentioned with regard to the goat and camel. The same ruling has been presumed to be applicable on cows and buffaloes too.

[5] This *Hadîth* specifies that if a person does not pay the *Zakât* voluntarily, an Islâmic Government may impose a fine on him amounting to the value of half of his goods and

not be a proof to take half the property of a *Zakât* evader.

**489.** Narrated 'Ali رضى الله عنه: Allah's Messenger صلى الله عليه وسلم said, "When you possess two hundred Dirhams till one year passes, five Dirhams are payable on them and you are not liable to pay anything till you possess twenty Dinars for one year, thereupon half a Dinar[1] is payable on them. Whatever exceeds that, will be counted likewise. And no *Zakât* is payable on a property, till a year passes from the time of its possession." [Reported by Abû Dâ'ud. It is *Hasan*, but they disagreed on its *Marfû*' status].

(٤٨٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَتْ لَكَ مِائَتَا دِرْهَمٍ، وَحَالَ عَلَيْهَا الْحَوْلُ، فَفِيهَا خَمْسَةُ دَرَاهِمَ، وَلَيْسَ عَلَيْكَ شَيْءٌ، حَتَّى يَكُونَ لَكَ عِشْرُونَ دِينَاراً، وَحَالَ عَلَيْهَا الْحَوْلُ، فَفِيهَا نِصْفُ دِينَارٍ، فَمَا زَادَ، فَبِحِسَابِ ذَلِكَ، وَلَيْسَ فِي مَالٍ زَكَاةٌ، حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ». رَوَاهُ أَبُو دَاوُدَ، وَهُوَ حَسَنٌ، وَقَدِ اخْتَلَفُوا فِي رَفْعِهِ.

At-Tirmidhi has this from Ibn 'Umar (رضى الله عنهما): "He who acquires property is not liable for *Zakât* on it, till a year passes." [This *Hadîth* was graded as *Mawqûf*].

وَلِلتِّرْمِذِيِّ عَنِ ابْنِ عُمَرَ: مَنِ اسْتَفَادَ مَالاً، فَلاَ زَكَاةَ عَلَيْهِ، حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ. وَالرَّاجِحُ وَقْفُهُ.

**490.** Narrated 'Ali رضى الله عنه: There is no *Sadaqa* on the working cattle[2]. [Reported by Abû Dâ'ud and Ad-Dâraqutni. It was graded *Mawqûf*].

(٤٩٠) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَيْسَ فِي الْبَقَرِ الْعَوَامِلِ صَدَقَةٌ. رَوَاهُ أَبُو دَاوُدَ وَالدَّارَقُطْنِيُّ، وَالرَّاجِحُ وَقْفُهُ أَيْضاً.

**491.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather 'Abdullâh bin 'Amr (رضى الله عنهم): Allâh's Messenger صلى الله عليه وسلم

(٤٩١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَبْدِ اللهِ بْنِ عَمْرٍو، أَنَّ رَسُولَ

may realise it forcibly. Such a forcible realisation shall indeed fulfill the obligation, binding on such a person, but he shall be deprived of the reward.

[1] This *Hadith* contains a statement concerning *Zakât* to be levied on gold and silver. The ruling about the silver is that no *Zakât* is payable on it if it is less than 200 Dirhams in its worth. The quantity of silver subject to *Zakât* is fifty-two and a half tolas (611.5 grams) and the *Zakât* thus levied on it shall be @ one-fortieth. Similarly, the quantity of gold subject to *Zakât* is seven and a half tolas (87 grams) and *Zakât* payable on it shall be @ one fortieth too. An identical one-fortieth ruling is applicable on currency notes also.

[2] The cattle used for farming, watering or transportation, etc.

said, "If anyone is a guardian of an orphan who owns property, he must trade with it and not leave it till the *Sadaqa* consumes it[1]." [Reported by At-Tirmidhi and Ad-Dâraqutni with weak *Isnâd*. It has a supporting *Mursal* version reported by Ash-Shafi'i].

اللهِ ﷺ قَالَ: «مَنْ وَلِيَ يَتِيماً لَهُ مَالٌ، فَلْيَتَّجِرْ لَهُ، وَلاَ يَتْرُكْهُ حَتَّى تَأْكُلَهُ الصَّدَقَةُ». رَوَاهُ التِّرْمِذِيُّ وَالدَّارَقُطْنِيُّ، وَإِسْنَادُهُ ضَعِيفٌ، وَلَهُ شَاهِدٌ مُرْسَلٌ عِنْدَ الشَّافِعِيِّ.

**492.** Narrated 'Abdullâh bin Abû 'Aufa رضي الله عنهما: Whenever people used to bring thier *Sadaqât* to Allah's Messenger صلى الله عليه وسلم he would say, "O Allâh, bless them." [Agreed upon].

(٤٩٢) وَعَنْ عَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَتَاهُ قَوْمٌ بِصَدَقَتِهِمْ قَالَ: **اللَّهُمَّ صَلِّ عَلَيْهِمْ**. مُتَّفَقٌ عَلَيْهِ.

**493.** Narrated 'Ali رضي الله عنه: 'Abbâs (رضي الله عنه) asked the Prophet صلى الله عليه وسلم about paying his *Sadaqa* in advance before it became due, and he gave his permission[2] to do that. [Reported by At-Tirmidhi and Al-Hâkim].

(٤٩٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ الْعَبَّاسَ سَأَلَ النَّبِيَّ ﷺ فِي تَعْجِيلِ صَدَقَتِهِ قَبْلَ أَنْ تَحِلَّ، فَرَخَّصَ لَهُ فِي ذَلِكَ. رَوَاهُ التِّرْمِذِيُّ وَالْحَاكِمُ.

**494.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allah's Messenger صلى الله عليه وسلم said, "No *Sadaqa* is payable on less than five *Uqiya*[3] (735 grams) of silver, and on less than five heads of camels and on less than five *Awsuq*[4] of dates."[5] [Reported by Muslim].

(٤٩٤) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، قَالَ: **«لَيْسَ فِيمَا دُونَ خَمْسِ أَوَاقٍ مِنَ الْوَرِقِ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ مِنَ الإِبِلِ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ خَمْسَةِ**

---

[1] Whether or not an orphan's wealth be subjected to *Zakât*, there is a difference of opinions among the scholars regarding it. There is a lengthy argumentative discussion about it. However, it is better to pay *Zakât* on it.

[2] The days and timings of *Hajj*, *Salât*, and *Saum* (fasting) are all specified. As far as *Zakât* is concerned, there is no binding on it. It's payment may be deferred and can also be made in advance, even though it becomes an obligation after one year period only.

[3] Since the value of an *Uqiya* is forty Dirhams (or 128 grams), five *Awaqin* shall be equivalent to 200 Dirhams.

[4] Approximately 12½ kilograms.

[5] According to the present day measurement, the amount of a *Zakât* payable on every twenty maund of grain (8 quintals) shall amount to the value of one maund of grain (40 kilograms

أَوْسُقٍ مِنَ التَّمْرِ صَدَقَةٌ». رَوَاهُ مُسْلِمٌ.
وَلَهُ مِنْ حَدِيثِ أَبِي سَعِيدٍ: لَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسَاقٍ مِنْ تَمْرٍ وَلاَ حَبٍّ صَدَقَةٌ.
وَأَصْلُ حَدِيثِ أَبِي سَعِيدٍ مُتَّفَقٌ عَلَيْهِ.

Narrated Abû Sa'îd (رضى الله عنه): Allâh's Messenger صلى الله عليه وسلم said, "No *Sadaqa* (*Zakât*) is payable on less than five *Awsuq* of dates or grains."[1] [Agreed upon].

(٤٩٥) وَعَنْ سَالِمِ بْنِ عَبْدِ اللهِ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ ﷺ قَالَ: **فِيمَا سَقَتِ السَّمَاءُ وَالْعُيُونُ، أَوْ كَانَ عَثَرِيّاً، الْعُشْرُ، وَفِيمَا سُقِيَ بِالنَّضْحِ نِصْفُ الْعُشْرِ**. رَوَاهُ الْبُخَارِيُّ. وَلأَبِي دَاوُدَ: أَوْ كَانَ بَعْلاً الْعُشْرُ، وَفِيمَا سُقِيَ بِالسَّوَانِي أَوِ النَّضْحِ نِصْفُ الْعُشْرِ.

**495.** Narrated Sâlim bin 'Abdullâh on the authority of his father: The Prophet صلى الله عليه وسلم said, "A tenth is payable on what is watered by rain or streams or by underground moisture, and a twentieth on what is watered by (irrigation or) draught camels." [Reported by Al-Bukhâri]. Abû Dâ'ud has: "When it (farm produce) is watered by underground water moisture, a tenth is payable; but a twentieth is payable on what is watered by irrigation, water - wheels or draught camels."

(٤٩٦) وَعَنْ أَبِي مُوسَى الأَشْعَرِيِّ وَمُعَاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهُمَا: **لاَ تَأْخُذَا فِي الصَّدَقَةِ إِلاَّ مِنْ هٰذِهِ الأَصْنَافِ الأَرْبَعَةِ: الشَّعِيرِ، وَالْحِنْطَةِ، وَالزَّبِيبِ، وَالتَّمْرِ**. رَوَاهُ الطَّبَرَانِيُّ وَالْحَاكِمُ.

**496.** Narrated Abû Musa Al-Ash'ari and Mu'âdh رضى الله عنهما: The Prophet صلى الله عليه وسلم told them, "Collect *Sadaqa* only on these four kinds: barley, wheat, raisins and dates." [Reported by At-Tabarâni and Al-Hâkim].

approx.) In case the quantity of grain happens to be less than 8 quintals, no *Zakât* is obligatory on it. (8 quintals is equal to 5 *Wasq* which is stated in the *Hadîth*). In case someone owns more than 87 grams of gold, *Zakât* becomes obligatory on him. In case someone owns silver exceeding 611.5 grams in quantity, it is an obligation on him to pay *Zakât*.

[1] Any grain which can be stored for a year, is liable to *Zakât* payment. Wheat, barley, rice, millet, Indian corn, maize, pulses and grams, etc., fall in this category. The amount of *Zakât* payable on these may differ according to the varying amount of labour and exertion spent on the produce. The produce of a land which is irrigated by either flood water, rain or a natural affluent or rivulet, will be subject to the one-tenth of its production to be paid off as *Zakât*. In case a land is irrigated by a well-water or against a monetary payment like canal water, then its produce will be subjected to one-twentieth *Zakât* payment only on the total.

And in the version of Ad-Dâraqutni on the authority of Mu'âdh: He said, "But cucumber, water melon, pomegranate and sugarcane were exempted (from *Sadaqa*) by Allâh's Messenger صلى الله عليه وسلم." Its chain of narrators is weak.

وَلِلدَّارَقُطْنِيِّ عَنْ مُعَاذٍ قَالَ: فَأَمَّا الْقِثَّاءُ وَالْبِطِّيخُ وَالرُّمَّانُ وَالْقَصَبُ، فَقَدْ عَفَا عَنْهُ رَسُولُ اللهِ ﷺ. وَإِسْنَادُهُ ضَعِيفٌ.

**497.** Narrated Sahl bin Abû Hathma[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم ordered us, "When you estimate (the *Sadaqa* of fruits like dates) take them leaving a third; and if you do not leave a third, leave a quarter (of the estimated *Sadaqa* for the owners)"[2]. [Reported by *Al-Khamsa* except Ibn Mâjah. Ibn Hibbân and Al-Hâkim graded it *Sahih*].

(٤٩٧) وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ: «إِذَا خَرَصْتُمْ فَخُذُوا، وَدَعُوا الثُّلُثَ فَإِنْ لَمْ تَدَعُوا الثُّلُثَ، فَدَعُوا الرُّبُعَ». رَوَاهُ الْخَمْسَةُ إِلَّا ابْنَ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**498.** Narrated 'Attâb bin Asîd[3] رضي الله عنه: Allah's Messenger صلى الله عليه وسلم ordered to estimate *Zakât* on vines as that of palm trees, then the *Zakât* is to be paid in raisins as the *Zakât* on palm trees is paid in dried dates.

(٤٩٨) وَعَنْ عَتَّابِ بْنِ أَسِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ أَنْ يُخْرَصَ الْعِنَبُ، كَمَا يُخْرَصُ النَّخْلُ، وَتُؤْخَذُ زَكَاتُهُ زَبِيباً. رَوَاهُ الْخَمْسَةُ، وَفِيهِ انْقِطَاعٌ.

---

[1] Sahl bin Abû Hathma's real name was 'Abdullâh or 'Aamir bin Sâ'ida bin 'Aamir Al-Ansâri Al-Khazraji Al-Madani. He was a young *Sahâbi* born in 3 H. He settled at Kufa and is considered as an inhabitant of Al-Madîna where he died during the governorship of Mus'ab bin Az-Zubair.

[2] The meaning of Arabic word *Khars* خرص is to guess or speculate; an expert's guess by looking at the grape-vines or date-palms about the quantity of its produce after maturing and ripening. Such a person must perform his duty with an utmost sincerity. The ruling for a *Zakât* collector is that he should leave one-third of the amount so speculated. In case he does not approve of it, he must leave one-fourth of the amount, as sometimes a traveller or a wayfarer may eat out of it (the fruits) or at times the owner may present some of it to his neighbours.

[3] 'Attâb bin Asid bin Abû Al-'Ais bin Umaiya bin 'Abd-Shams Al-Umawi Al-Makki was a *Sahâbi*. The Prophet صلى الله عليه وسلم appointed him over Makka in the year of its conquest, as he was proceeding to Hunain and he continued to govern it until Abû Bakr died. It is said that he died on the same day, that Abû Bakr died. It is also said that he lived until the end of 'Umar's Caliphate.

[Reported by *Al-Khamsa*. It has *Inqitâ'* (missing links in narrators)].

**499.** Narrated 'Amr bin Shu'aib on his father's authority from his grand father (رضي الله عنهم): A woman came to the Prophet صلى الله عليه وسلم, and she was accompanied by her daughter who wore two gold bangles in her hands. He asked her "Do you pay their *Zakât*?" She said, "No." He then said, "Will you be pleased[1] if Allâh puts two bangles of fire on you in their place?" Thereupon she threw them away. [Reported by *Ath-Thalatha*, and its chain of narrators is strong. It is authenticated by Hâkim from 'Aisha's *Hadîth*].

(٤٩٩) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ امْرَأَةً أَتَتِ النَّبِيَّ ﷺ وَمَعَهَا ابْنَةٌ لَهَا، وَفِي يَدِ ابْنَتِهَا مَسَكَتَانِ مِنْ ذَهَبٍ، فَقَالَ لَهَا: «أَتُعْطِينَ زَكَاةَ هٰذَا»؟ قَالَتْ: لَا، قَالَ: «أَيَسُرُّكِ أَنْ يُسَوِّرَكِ اللَّهُ بِهِمَا يَوْمَ الْقِيَامَةِ سِوَارَيْنِ مِنْ نَارٍ»؟ فَأَلْقَتْهُمَا. رَوَاهُ الثَّلَاثَةُ، وَإِسْنَادُهُ قَوِيٌّ، وَصَحَّحَهُ الْحَاكِمُ مِنْ حَدِيثِ عَائِشَةَ.

**500.** Narrated Umm Salama رضي الله عنها that she was wearing gold bangles[2] and she said, "O Messenger of Allâh! Is this a treasure?" He replied, "It is not a treasure if you pay the *Zakât* due on it." [Reported by Abû Dâ'ud and Ad-Dâraqutni, and Al-Hâkim graded it *Sahih*].

(٥٠٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّهَا كَانَتْ تَلْبَسُ أَوْضَاحاً مِنْ ذَهَبٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! أَكَنْزٌ هُوَ؟ فَقَالَ: «إِذَا أَدَّيْتِ زَكَاتَهُ فَلَيْسَ بِكَنْزٍ». رَوَاهُ أَبُو دَاوُدَ وَالدَّارَقُطْنِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**501.** Narrated Samura bin Jundub رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to order us to deduct the *Sadaqa* from what we would be preparing for

(٥٠١) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُنَا أَنْ نُخْرِجَ الصَّدَقَةَ مِنَ الَّذِي نَعُدُّهُ لِلْبَيْعِ. رَوَاهُ

---

[1] Whether or not *Zakât* is payable on the gold ornaments is a disputed matter, but the preponderant view is that the same is obligatory and this *Hadîth* is an affirmative evidence regarding it.

[2] *Awdah* أوضاح is plural of *Wadh* وضح. This was a kind of ornament which was originally manufactured out of silver. Owing to its glitteringly white appearance, it is called *Awdâh*. Later the same was being manufactured out of gold also. This *Hadîth* is also an evidence that the gold and silver ornaments are subjected to the payment of *Zakât*. There are other ornaments, excluding the ones made of gold and silver, that are not liable to be subjected to a *Zakât* payment. These are the ornaments made of pearls, emerald, sapphire, ruby, coral and jewels.

trade.[1] [Abû Dâ'ud reported it and its chain is feeble].

أبو داوُد، وإسْنَادُهُ لَيِّنٌ.

**502.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A fifth is payable on buried treasure."[2] [Agreed upon].

(٥٠٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «وَفِي الرِّكَازِ الْخُمُسُ». مُتَّفَقٌ عَلَيْهِ.

**503.** Narrated 'Amr bin Shu'aib on his father's authority from his grand father (رضى الله عنهم): Allâh's Messenger صلى الله عليه وسلم said, regarding a treasure which was found by a man in a wasted place - "If you find it in an inhabited village you must make the matter known; but if you find it in an uninhabited village, a fifth is payable on it and on buried treasure." [Ibn Mâjah reported it through a good chain of narrators].

(٥٠٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ رَسُولَ اللهِ ﷺ قَالَ فِي كَنْزٍ وَجَدَهُ رَجُلٌ فِي خَرِبَةٍ: «إِنْ وَجَدْتَهُ فِي قَرْيَةٍ مَسْكُونَةٍ فَعَرِّفْهُ، وَإِنْ وَجَدْتَهُ فِي قَرْيَةٍ غَيْرِ مَسْكُونَةٍ فَفِيهِ وَفِي الرِّكَازِ الْخُمُسُ». أَخْرَجَهُ ابْنُ مَاجَه بِإِسْنَادٍ حَسَنٍ.

**504.** Narrated Bilâl bin Al-Harith[3] رضى الله عنه: Allah's Messenger صلى الله عليه وسلم received the *Sadaqa* on the mines of Al-Qabaliya.[4] [Reported by Abû Dâ'ud].

(٥٠٤) وَعَنْ بِلَالِ بْنِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَخَذَ مِنَ الْمَعَادِنِ الْقَبَلِيَّةِ الصَّدَقَةَ. رَوَاهُ أَبُو دَاوُدَ.

## Chapter 1
## *SADAQAT-UL-FITR*

## ١ - بَابُ صَدَقَةِ الْفِطْرِ

**505.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم prescribed as the *Zakât-ul-Fitr*

(٥٠٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: فَرَضَ رَسُولُ اللهِ ﷺ زَكَاةَ الْفِطْرِ

[1] It thus becomes known to us that all the commercial merchandise is subject to the obligation of *Zakât* payment.

[2] Any wealth excavated from earth is *Rikâz* ركاز (a hidden treasure) provided the same belongs to an era of non-Muslims. It is a must to deposit one-fifth of its contents to the Islamic treasury. It does not involve the condition that the deposit be made after the lapse of one year period.

[3] He is nicknamed Abû 'Abdur-Rahmân and was among the first delegation to visit the Prophet صلى الله عليه وسلم at Al-Madîna from the tribe of Muzaina in 5H. He held Muzaina's flag during the conquest of Makka. He lived at the outskirts of Al-Madîna then moved to Basra. He died in 60 H. at the age of 80 years.

[4] *Qabaliya* is the name of a place located on the seacoast at a distance of about five-days journey by camel riding from Al-Madîna.

payable by a slave, a freeman, a male and a female, the young and the old among the Muslims on breaking the fast of Ramadân a *Sâ*' (about 2½ kilograms) of dried dates, or a *Sâ*' of barley and gave command that this should be paid before the people went out to ('*Eid-ul-Fitr*) prayer. [Agreed upon].

صَاعاً مِنْ تَمْرٍ، أَوْ صَاعاً مِنْ شَعِيرٍ، عَلَى الْعَبْدِ وَالْحُرِّ وَالذَّكَرِ وَالأُنْثَى وَالصَّغِيرِ وَالْكَبِيرِ، مِنَ الْمُسْلِمِينَ، وَأَمَرَ بِهَا أَن تُؤَدَّى قَبْلَ خُرُوجِ النَّاسِ إِلَى الصَّلاَةِ. مُتَّفَقٌ عَلَيْهِ.

Ibn 'Adi and Ad-Dâraqutni reported the above through a weak chain of narrators: "(Give out *Zakât-ul-Fitr* to the poor) so that they are satisfied from going round (begging) during this day (of '*Eid-ul-Fitr*.)"

وَلابْنِ عَدِيٍّ وَالدَّارَقُطْنِيِّ بِإِسْنَادٍ ضَعِيفٍ: «أَغْنُوهُمْ عَنِ الطَّوَافِ فِي هٰذَا الْيَوْمِ».

**506.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: At the time of Allâh's Messenger صلى الله عليه وسلم we used to give out (as the *Zakât-ul-Fitr*) a *Sâ'* of grain,[1] or of dried dates, or of barley, or of raisins. [Agreed upon]. In another version is: "a *Sâ*' of cheese." Abû Sa'îd said, "Yet I have given out a *Sa'* in *Sadaqa* as I used to give out a *Sâ'* in the lifetime of Allâh's Messenger صلى الله عليه وسلم." And in the version of Abû Dâ'ud: "I have never given out in *Sadaqa* except a *Sâ'*."

(٥٠٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُعْطِيهَا فِي زَمَنِ النَّبِيِّ ﷺ صَاعاً مِنْ طَعَامٍ، أَوْ صَاعاً مِنْ تَمْرٍ، أَوْ صَاعاً مِنْ شَعِيرٍ، أَوْ صَاعاً مِنْ زَبِيبٍ. مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ: «أَوْ صَاعاً مِنْ أَقِطٍ». قَالَ أَبُو سَعِيدٍ: أَمَّا أَنَا فَلاَ أَزَالُ أُخْرِجُهُ، كَمَا كُنْتُ أُخْرِجُهُ فِي زَمَنِ رَسُولِ اللَّهِ ﷺ. وَلأَبِي دَاوُدَ: «لاَ أُخْرِجُ أَبَداً إِلاَّ صَاعاً».

**507.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم prescribed *Zakât-ul-Fitr* as a purification of the fasting person from empty and obscene talk and as food for the poor. If anyone pays it before the ('*Eid*) prayer, it will be accepted as *Zakât*, and if anyone pays it after the prayer,[2] it will be counted as a

(٥٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: فَرَضَ رَسُولُ اللَّهِ ﷺ زَكَاةَ الْفِطْرِ طُهْرَةً لِلصَّائِمِ مِنَ اللَّغْوِ وَالرَّفَثِ، وَطُعْمَةً لِلْمَسَاكِينِ، فَمَنْ أَدَّاهَا قَبْلَ الصَّلاَةِ فَهِيَ زَكَاةٌ مَقْبُولَةٌ، وَمَنْ أَدَّاهَا بَعْدَ الصَّلاَةِ فَهِيَ

[1] The Arabic word *Ta'âm* طعام is applicable to all kind of grain. It may be used for wheat, barley and dates too. In general, it can be used for any agricultural produce.

[2] This implies that if someone pays *Sadaqat-ul-Fitr* (fast breaking charity) it does not absolve him from the obligation, not he gets a reward associate with such a payment. However, his act shall not go in vain as he will get the reward of an ordinary act of charity.

*Sadaqa* like any other *Sadaqa* (alms). [Abû Dâ'ud and Ibn Mâjah reported it, and Al-Hâkim graded it *Sahih* (sound)].

صَدَقَةٌ مِنَ الصَّدَقَاتِ. رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ.

## Chapter 2 VOLUNTARY ALMS

## ٢ - بَابُ صَدَقَةِ التَّطَوُّعِ

**508.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "There are seven whom Allâh will cover with His shade on a day when there will be no shade but His (and he mentioned among them) — a man[1] who gives charity so secretly that his left hand does not know what his right hand has given out." [Agreed upon].

(٥٠٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «سَبْعَةٌ يُظِلُّهُمُ اللَّهُ فِي ظِلِّهِ يَوْمَ لاَ ظِلَّ إِلاَّ ظِلُّهُ» - فَذَكَرَ الْحَدِيثَ - وَفِيهِ: «وَرَجُلٌ تَصَدَّقَ بِصَدَقَةٍ فَأَخْفَاهَا، حَتَّى لاَ تَعْلَمَ شِمَالُهُ مَا تُنْفِقُ يَمِينُهُ». مُتَّفَقٌ عَلَيْهِ.

**509.** Narrated 'Uqba bin 'Aamir رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم say, "Everyone will be under the shade[2] of his *Sadaqa* till the judgement between the people is finished." [Reported by Ibn Hibbân and Al-Hâkim].

(٥٠٩) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: كُلُّ امْرِىءٍ فِي ظِلِّ صَدَقَتِهِ حَتَّى يُفْصَلَ بَيْنَ النَّاسِ». رَوَاهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**510.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم said: If any Muslim clothes a Muslim when he is naked, Allâh will clothe him with some of the green garments of Paradise; if any Muslim feeds a Muslim when he is hungry, Allâh will feed him with the fruits of Paradise; and if any Muslim gives a Muslim a drink when he is thirsty, Allâh will

(٥١٠) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: أَيُّمَا مُسْلِمٍ كَسَا مُسْلِماً ثَوْباً عَلَى عُرْيٍ كَسَاهُ اللَّهُ مِنْ خُضْرِ الْجَنَّةِ، وَأَيُّمَا مُسْلِمٍ أَطْعَمَ مُسْلِماً عَلَى جُوعٍ أَطْعَمَهُ اللَّهُ مِنْ ثِمَارِ الْجَنَّةِ، وَأَيُّمَا

---

It is better to give one *Sa'* (2.6 kilogram) as *Sadaqat-ul-Fitr*, since the narration reporting it to be as half *Sa'* is incorrect.

[1] In this *Hadîth*, the mention of males is incidental and includes both sexes. If a woman gives away the charity, she will get the same reward too.

[2] "the shade" implies that the charity given away by a person in this world shall turn into a canopy for him and save him from a scorching heat on the Day of Judgement. One benefit of voluntary charity is that it becomes a remedy for any shortcoming in the obligatory *Zakât*.

give him a drink from the pure wine which is sealed to drink." [Abû Dâ'ud reported it with a weakness in its chain of narrators].

مُسْلِمٍ سَقَى مُسْلِماً عَلَى ظَمَإٍ سَقَاهُ اللَّهُ مِنَ الرَّحِيقِ الْمَخْتُومِ». رَوَاهُ أَبُو دَاوُدَ، وَفِي إِسْنَادِهِ لِينٌ.

**511.** Narrated Hakim bin Hizâm رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The upper hand is better than the lower hand; and start giving charity first to your dependents.[1] And the best object of charity is that which is given by a wealthy person; and whoever abstains from asking others (for charity), Allâh will make him contented and whosoever is satisfied with what Allâh has given him, Allâh will make him self sufficient." [Agreed upon, and this version is of Al-Bukhâri].

(٥١١) وَعَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى، وَابْدَأْ بِمَنْ تَعُولُ، وَخَيْرُ الصَّدَقَةِ مَا كَانَ عَنْ ظَهْرِ غِنىً، وَمَنْ يَسْتَعْفِفْ يُعِفَّهُ اللَّهُ، وَمَنْ يَسْتَغْنِ يُغْنِهِ اللَّهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**512.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم was asked, "What kind of *Sadaqa* is most rewardable?" He replied, "What a man with little property can afford to give, and begin with your dependents." [Reported by Ahmad and Abû Dâ'ud. Ibn Khuzaima and Ibn Hibbân and Al-Hâkim graded it *Sahih*].

(٥١٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قِيلَ: يَا رَسُولَ اللهِ! أَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: «جُهْدُ الْمُقِلِّ، وَابْدَأْ بِمَنْ تَعُولُ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**513.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Give out *Sadaqa* (charity)." Then a man said, "O Messenger of Allah! I have a Dinâr." He said, "Spend it on yourself." He said, "I have another one." He said, "Spend it on your children." He said, "I have another one." He said, "Spend it on your

(٥١٣) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَصَدَّقُوا»، فَقَالَ رَجُلٌ: يَا رَسُولَ اللهِ! عِنْدِي دِينَارٌ، قَالَ: «تَصَدَّقْ بِهِ عَلَى نَفْسِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «تَصَدَّقْ بِهِ عَلَى وَلَدِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ:

[1] It is forbidden to give away charity to others as long as ones family members are in a dire need of money. According to Muslim, it is reported by Thaubân that the better part of money is the one which is either spent on one's family members, or the one spent on a horse used for *Jihâd* (religious fighting) or the one spent on friends.

wife." He said, "I have another one." He said, "Spend it on your servant." He said, "I have another one." He said, "You know best (what to do with it)." [Reported by Abû Dâ'ud and An-Nasâ'i. Ibn Hibbân and Al-Hâkim graded it *Sahih*].

«تَصَدَّقْ بِهِ عَلَى زَوْجَتِكَ»، قَالَ: عِنْدِي آخَرُ، قَالَ: «تَصَدَّقْ بِهِ عَلَى خَادِمِكَ»، قَالَ: عِنْدِيْ آخَرُ، قَالَ: «أَنْتَ أَبْصَرُ بِهِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**514.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said: "If a woman gives (for charity) some of the food in her house, without being wasteful,[1] she will have her reward for what she has given out, her husband will have his for what he has earned and the storekeeper will get the same. Yet nobody's reward[2] will be deducted for another one." [Agreed upon].

(٥١٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ النَّبِيُّ ﷺ: «إِذَا أَنْفَقَتِ الْمَرْأَةُ مِنْ طَعَامِ بَيْتِهَا، غَيْرَ مُفْسِدَةٍ، كَانَ لَهَا أَجْرُهَا بِمَا أَنْفَقَتْ، وَلِزَوْجِهَا أَجْرُهُ بِمَا اكْتَسَبَ، وَلِلْخَازِنِ مِثْلُ ذَلِكَ، لاَ يَنْقُصُ بَعْضُهُمْ مِنْ أَجْرِ بَعْضٍ شَيْئاً». مُتَّفَقٌ عَلَيْهِ.

**515.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Zainab,[3] the wife of Ibn Mas'ûd (رضي الله عنه) came and said, "O Allâh's Messenger, you have today commanded that *Sadaqa* be given out and I had some jewellery of mine, so I wanted to give it as *Sadaqa*, but Ibn Mas'ûd claimed that he and his children have more right for my *Sadaqa* to be spent on them." The Prophet صلى الله عليه وسلم said, "Ibn Mas'ûd told the truth, your husband and children have more right to be the

(٥١٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَتْ زَيْنَبُ امْرَأَةُ ابْنِ مَسْعُودٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّكَ أَمَرْتَ الْيَوْمَ بِالصَّدَقَةِ، وَكَانَ عِنْدِي حُلِيٌّ لِي، فَأَرَدْتُ أَنْ أَتَصَدَّقَ بِهِ، فَزَعَمَ ابْنُ مَسْعُودٍ أَنَّهُ وَوَلَدَهُ أَحَقُّ مَنْ تَصَدَّقْتُ بِهِ عَلَيْهِمْ، فَقَالَ النَّبِيُّ ﷺ: «صَدَقَ ابْنُ مَسْعُودٍ، زَوْجُكِ وَوَلَدُكِ أَحَقُّ مَنْ تَصَدَّقْتِ بِهِ عَلَيْهِمْ». رَوَاهُ الْبُخَارِيُّ.

---

[1] It means that so long as the housewife does not nurse an ulterior motive of bringing harm and destruction to her husband's house, she may dole out charity as is usually given away according to the prevalent customs. She may give away either bread or flour to a mendicant. In case an increased amount of charity is required, then she must obtain permission from her husband.

[2] It means that Allâh the Most Exalted will give full reward to everybody by His kindness. It is not that He divides a single reward and distributes the same among all. This clarifies that one should assist everybody in his act of performing a good deed so that he may also be rewarded.

[3] She was from Banu Thaqif and her father was called Mu'âwiya, or 'Abdullâh bin Mu'âwiya or Abû Mu'âwiya. She narrated from the Prophet صلى الله عليه وسلم, her husband and 'Umar bin Al-Khattâb. Her son, her nephew and others narrated from her.

beneficiaries of your *Sadaqa*."[1] [Reported by Al-Bukhâri].

**516.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said: "He who keeps on asking people (for charity) will come on the Day of Resurrection with no piece of flesh on his face." [Agreed upon].

(٥١٦) وَعَن ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَزَالُ الرَّجُلُ يَسْأَلُ النَّاسَ، حَتَّى يَأْتِيَ يَوْمَ الْقِيَامَةِ، وَلَيْسَ فِي وَجْهِهِ مُزْعَةُ لَحْمٍ». مُتَّفَقٌ عَلَيْهِ.

**517.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "He who begs the property of others to increase his own is asking for burning charcoals, so let him ask for little or much."[2] [Reported by Muslim].

(٥١٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكَثُّراً، فَإِنَّمَا يَسْأَلُ جَمْراً، فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ». رَوَاهُ مُسْلِمٌ.

**518.** Narrated Zubair bin Al-'Awwâm رضى الله عنه: The Prophet صلى الله عليه وسلم said, "It is better for one of you to take his rope, bring a load of firewood on his back and sell it, Allâh thereby

(٥١٨) وَعَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: لَأَنْ يَأْخُذَ أَحَدُكُمْ حَبْلَهُ، فَيَأْتِيَ بِحُزْمَةِ الْحَطَبِ عَلَى

[1] The word *Sadaqa* (charity) is applicable on all, whether it be a voluntary act of charity, or the obligatory payment of *Zakât* or the *Sadaqat-ul-Fitr*. The glorious Qur'ân has used the word *Sadaqa* only while elaborating on the matters concerning the disbursement and distribution of *Zakât* funds. In case, the voluntary charity is not considerable, it generally denotes and signifies the obligatory act of charity (*Zakât*). Here it seems to be the obligatory payment of charity as one does not have to ask anybody's permission concerning a voluntary charity payment. Majority of the scholars subscribe to the view that a woman can give the *Zakât* to her husband. Similarly, there is an agreement of opinion among scholars to the effect that a man cannot give away a *Zakât* payment to his wife.

[2] If a non-deserving person gathers money by begging, he will incur ignominy and disgrace on the Day of Judgement and will have to face an infernal torment. There are three categories of people who deserve the *Zakât* money:

a) The one whose wealth gets utterly destroyed by a sudden and unexpected calamity to such an extent that he has nothing to eat. Such a person may ask for *Zakât* money to make both ends meet.

b) The one who has been unjustifiably penalised or has been unfairly involved into signing a bond of guarantee or liability for someone else and is now being subjugated into making a payment for the same even though he does not have enough financial resources to pay for it. Such a person is eligible to *Zakât* money so that he may be solvent enough to pay off his liability.

c) The one who works, or intends to work sincerely and in the earnest but does not find work, or has less income than his required minimum expenditure and thus forced to face starvation.

preserving his self-respect, than begging people whether they give him or refuse him." [Reported by Al-Bukhâri].

ظَهْرِهِ، فَيَبِيعَهَا، فَيَكُفَّ بِهَا وَجْهَهُ، خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ النَّاسَ، أَعْطَوْهُ أَوْ مَنَعُوهُ. رَوَاهُ الْبُخَارِيُّ.

**519.** Narrated Samura bin Jundub رضى الله عنه: Allah's Messenger صلى الله عليه وسلم said: "Acts of begging are scratches with which a man disfigures his face unless one begs a ruler,[1] or a situation in which begging becomes very necessary." [Reported by At-Tirmidhi, who graded it *Sahih*].

(٥١٩) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمَسْأَلَةُ كَدٌّ يَكُدُّ بِهَا الرَّجُلُ وَجْهَهُ، إِلاَّ أَنْ يَسْأَلَ الرَّجُلُ سُلْطَاناً أَوْ فِي أَمْرٍ لاَ بُدَّ مِنْهُ». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

## Chapter 3
## THE DIVISION OF *SADAQAT*

## ٣ - بَابُ قِسْمِ الصَّدَقَاتِ

**520.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "*Sadaqa* cannot lawfully be given to a self-sufficient man except of the five categories: one who collects it, or a man who buys it with his money, or a debtor, or one who fights in Allâh's Cause, or a poor man who after getting a *Sadaqa* gives part of it to a rich man as a present."[2] [Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah. Al-Hâkim graded it *Sahih* and *Mursal*].

(٥٢٠) عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لاَ تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ إِلاَّ لِخَمْسَةٍ: لِعَامِلٍ عَلَيْهَا، أَوْ رَجُلٍ اشْتَرَاهَا بِمَالِهِ، أَوْ غَارِمٍ، أَوْ غَازٍ فِي سَبِيلِ اللَّهِ، أَوْ مِسْكِينٍ تُصُدِّقَ عَلَيْهِ مِنْهَا فَأَهْدَى مِنْهَا لِغَنِيٍّ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ، وَأُعِلَّ بِالإِرْسَالِ.

**521.** Narrated 'Ubaidullâh bin 'Adi bin Al-Khiyâr[3] (رضى الله عنه): Two men

(٥٢١) وَعَنْ عُبَيْدِ اللَّهِ بْنِ عَدِيِّ بْنِ

[1] It becomes known to us that approaching a king and asking him for financial aid is permissible. A king is permitted either to give someone a charity out of *Zakât* payment or from *Khumus* خمس (one-fifth of the wealth realised out of the spoils of war and allocated to be deposited in the government treasury). In case the asking person is really poor, he can take out of *Zakât* payment. In case he is rich, he should not take money out of *Zakât*, but he may take it from the funds belonging to *Khumus* (specific funds from the government treasury).

[2] It is forbidden for a wealthy person to take any money out of *Zakât*, but if a poor person receives a *Zakât* money, purchases something out of this money and presents the same to the rich person, the same becomes permissible for him.

[3] He was a Qurashi from Banu Naufal. He was born during the life of Allâh's Messenger صلى الله عليه وسلم, but is counted among the *Tabi'in*. He narrated *Ahadith* from 'Umar, 'Uthmân and

informed us that they went to Allâh's Messenger صلى الله عليه وسلم asking for *Sadaqa*. He then looked at them up and down, and seeing that they were robust, said, "If you wish I will give you something, but there is no share in it for a rich man or for one who is strong and able to earn a living."[1] [Reported by Ahmad and strengthened by Abû Dâ'ud and An-Nasâ'i].

الْخِيَارِ، أَنَّ رَجُلَيْنِ حَدَّثَاهُ: أَنَّهُمَا أَتَيَا رَسُولَ اللهِ ﷺ يَسْأَلَانِهِ مِنَ الصَّدَقَةِ، فَقَلَّبَ فِيهِمَا الْبَصَرَ، فَرَآهُمَا جَلْدَيْنِ، فَقَالَ: إِنْ شِئْتُمَا أَعْطَيْتُكُمَا، وَلَا حَظَّ فِيهَا لِغَنِيٍّ، وَلَا لِقَوِيٍّ مُكْتَسِبٍ. رَوَاهُ أَحْمَدُ، وَقَوَّاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ.

**522.** Narrated Qabisa bin Mukhâriq Al-Hilâli[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Begging is not allowed except for one of the three people: A man who has become a guarantor for a payment, to whom begging is allowed till he gets it, after which he must stop begging; a man whose property has been destroyed by a calamity which has smitten him, to whom begging is allowed till he gets what will provide him a reasonable sustenance; and a man who has been smitten by poverty, the genuineness of which is confirmed by three intelligent members of his people, to whom begging is allowed till he gets what will support life. Any other reason for begging, O Qabisa is forbidden, and one who engages in such, consumes it as a thing which is

(٥٢٢) وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ الْهِلَالِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الْمَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدِ ثَلَاثَةٍ: رَجُلٌ تَحَمَّلَ حَمَالَةً، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَهَا، ثُمَّ يُمْسِكُ، وَرَجُلٌ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، وَرَجُلٌ أَصَابَتْهُ فَاقَةٌ، حَتَّى يَقُومَ ثَلَاثَةٌ مِنْ ذَوِي الْحِجَى مِنْ قَوْمِهِ: لَقَدْ أَصَابَتْ فُلَاناً فَاقَةٌ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، فَمَا سِوَاهُنَّ مِنَ الْمَسْأَلَةِ يَا قَبِيصَةُ سُحْتٌ، يَأْكُلُهُ صَاحِبُهُ سُحْتاً». رَوَاهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

---

others. It is said that his father was killed at Badr as a *Kafir*. 'Ubaidullâh is said to have been a grown up child at the time of the conquest of Makka, and was therefore a *Sahâbi*. He was among the *Fiqh* scholars and learned Quraishis. He died towards the end of the caliphate of Al-Walid bin 'Abdul Mâlik in 90 H.

[1] Some people infer from this *Hadîth* that a person, who is capable of earning, even though poor, must not accept charity, which is incorrect. Another *Hadîth* clarifies that a person who is on the brink of starving may ask for charity.

[2] Abû Bishr Qabisa bin Al-Mukhâriq bin 'Abdullâh bin Shaddâd Al-'Aamiri Al-Hilâli was a *Sahâbi* who settled at Basra. He visited the Prophet صلى الله عليه وسلم and narrated *Ahadîth* from him. He is a narrator of six *Ahadith*.

unlawful." [Reported by Muslim, Abû Dâ'ud, Ibn Khuzaima and Ibn Hibbân].

**523.** Narrated 'Abdul-Muttalib bin Rabî'a bin Al-Hârith[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "These *Sadaqât* are only people's impurities, and are not befitting for Muhammad's family."[2] Another version has: "It is not lawful for Muhammad and Muhammad's family." [Reported by Muslim]

(٥٢٣) وَعَنْ عَبْدِ الْمُطَّلِبِ بْنِ رَبِيعَةَ ابْنِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الصَّدَقَةَ لاَ تَنْبَغِي لآلِ مُحَمَّدٍ، إِنَّمَا هِيَ أَوْسَاخُ النَّاسِ». وَفِي رِوَايَةٍ: «وَإِنَّهَا لاَ تَحِلُّ لِمُحَمَّدٍ وَلاَ لآلِ مُحَمَّدٍ». رَوَاهُ مُسْلِمٌ.

**524.** Narrated Jubair bin Mut'im رضي الله عنه: 'Uthmân bin 'Affân رضي الله عنه and I went to the Prophet صلى الله عليه وسلم and said, "O Allâh's Messenger, You gave from the fifth of the war booty of Khaibar to sons of Al-Muttalib and did not give us, although we are of the same rank.[3] Allâh's Messenger صلى الله عليه وسلم then said, "Sons of Al-Muttalib and sons of Hâshim are only one[4] thing." [Reported by Al-Bukhâri].

(٥٢٤) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَشَيْتُ أَنَا وَعُثْمَانَ بْنُ عَفَّانَ إِلَى النَّبِيِّ ﷺ، فَقُلْنَا: يَا رَسُولَ اللهِ! أَعْطَيْتَ بَنِي الْمُطَّلِبِ مِنْ خُمُسِ خَيْبَرَ وَتَرَكْتَنَا، وَنَحْنُ وَهُمْ بِمَنْزِلَةٍ وَاحِدَةٍ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّمَا بَنُو الْمُطَّلِبِ وَبَنُو هَاشِمٍ شَيْءٌ وَاحِدٌ». رَوَاهُ الْبُخَارِيُّ.

---

[1] Son of 'Abdul-Muttalib bin Hâshim Al-Qurashi. He settled at Al-Madîna then moved to Damascus where he died in 62 H.

[2] It is forbidden on any of the descendants of Muhammad صلى الله عليه وسلم to accept *Zakât* payments, a ruling which is agreed upon. However, there is a difference of opinion among scholars regarding the status of voluntary charity. These are not the descendants of Muhammad صلى الله عليه وسلم alone who are forbidden to accept a *Zakât* payment, but they also include the descendants of 'Ali, 'Abbâs, Ja'far, 'Aqeel, 'Abdul-Muttalib bin Abd Munaf, which means that they are all included in the family of the Prophet صلى الله عليه وسلم.

[3] The statement of Jubair bin Muti'm and Uthmân رضي الله عنهما that they and Bani Muttalib (progeny of Muttalib) are equals has two meanings. The first one is that they owe allegiance to the Prophet صلى الله عليه وسلم, exactly in the same manner as done by the progeny of Muttalib. The second purported meaning is that Banu Muttalib does not exceed them in the matter of eligibility in terms of the bonds of affinity or relationship to the Prophet صلى الله عليه وسلم. 'Uthmân رضي الله عنه in addition to being bestowed with the honour of being a son-in-law to the Prophet صلى الله عليه وسلم, also belonged to Banu Umaiya. Banu Umaiya and Banu Hashim were considered to be the tribes who were equals to each other in terms of status within the descendants of Quraish.

[4] The Prophet صلى الله عليه وسلم stated: "There is no denying in the fact that in terms of rank and lineage, Banu Hashim and Banu Umaiya are on an equal footing, but Banu Muttalib sided

**525.** Narrated Abû Râfi'[1] رضي الله عنه : The Prophet صلى الله عليه وسلم sent a man of the Banu Makhzum to collect *Sadaqa* and he asked Abû Râfi' to accompany him so that he might get some of it. Abû Râfi' replied, "No, till I go to the Prophet صلى الله عليه وسلم and ask him." He then went to him and asked him and he said, "It (the *Sadaqa*) is not lawful for us, and the slave[2] of a people is one of them." [Reported by *Ath-Thalatha*, Ahmad, Ibn Khuzaima and Ibn Habbân].

(٥٢٥) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ بَعَثَ رَجُلاً عَلَى الصَّدَقَةِ مِنْ بَنِي مَخْزُومٍ، فَقَالَ لِأَبِي رَافِعٍ: اصْحَبْنِي، فَإِنَّكَ تُصِيبُ مِنْهَا: فَقَالَ: لاَ، حَتَّى آتِيَ النَّبِيَّ ﷺ، فَأَسْأَلَهُ، فَأَتَاهُ، فَسَأَلَهُ، فَقَالَ: «مَوْلَى الْقَوْمِ مِنْ أَنْفُسِهِمْ، وَإِنَّهَا لاَ تَحِلُّ لَنَا الصَّدَقَةُ». رَوَاهُ أَحْمَدُ وَالثَّلاَثَةُ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

**526.** Narrated Sâlim bin 'Abdullah bin 'Umar on the authority of his father that Allâh's Messenger صلى الله عليه وسلم gave a gift to 'Umar. He said, "Give it to one who is poorer than me." Upon this Allâh's Messenger صلى الله عليه وسلم said, "Take it, keep it with your property or give it as charity. Take what comes to you from this property when you are neither avaricious nor begging, but in other circumstances do not let your heart hanker after it." [Reported by Muslim].

(٥٢٦) وَعَنْ سَالِمِ بْنِ عَبْدِ اللهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يُعْطِي عُمَرَ الْعَطَاءَ، فَيَقُولُ: أَعْطِهِ أَفْقَرَ مِنِّي، فَيَقُولُ: خُذْهُ، فَتَمَوَّلْهُ، أَوْ تَصَدَّقْ بِهِ، وَمَا جَاءَكَ مِنْ هٰذَا الْمَالِ، وَأَنْتَ غَيْرُ مُشْرِفٍ وَلاَ سَائِلٍ، فَخُذْهُ، وَمَالاَ فَلاَ تُتْبِعْهُ نَفْسَكَ. رَوَاهُ مُسْلِمٌ.

---

with Islâm during adverse circumstances, whereas Banu Naufal and Banu Abdush-Shams stood against it. From this point of view, Banu Hashim and Banu Muttalib are the same, and when the time came, they were given out of *Khumus* money, whereas, you were given nothing out of it."

[1] He was a slave of Allâh's Messenger صلى الله عليه وسلم and his name is Aslam or Hurmuz or Thâbit or Ibrâhim. He was an Egyptian Copt and was owned by Al-'Abbâs who gifted him to the Prophet صلى الله عليه وسلم. He became a Muslim before Badr and did not witness it. He witnessed Uhud and the battles that followed. When Al-'Abbâs became a Muslim, Abû Rafi' opened the good news to the Prophet صلى الله عليه وسلم who freed him. He died at the beginning of Ali's Caliphate in 36 H. at Al-Madina.

[2] A person who is forbidden from partaking of *Zakât*, the same ruling applies on his slave too.

## 5. THE BOOK OF *SIYAM*[1] (FASTING)

## ٥ - كِتَابُ الصِّيَامِ

**527.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not fast for a day or two days[2] ahead of Ramadân except a person[3] who is in the habit of observing a particular fast; he may fast on that day." [Agreed upon].

(٥٢٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَقَدَّمُوا رَمَضَانَ بِصَوْمِ يَوْمٍ وَلاَ يَوْمَيْنِ، إِلاَّ رَجُلٌ كَانَ يَصُومُ صَوْماً فَلْيَصُمْهُ». مُتَّفَقٌ عَلَيْهِ.

**528.** Narrated 'Ammâr bin Yâsir رضى الله عنهما: He who fasts on a day that (the starting of Ramadân) is doubted[4] has disobeyed Abul-Qâsim صلى الله عليه وسلم [Al-Bukhâri mentioned it as a *Mu'allaq*, but *Al-Khamsa* traced it back to the Prophet صلى الله عليه وسلم as a *Mausul* and Ibn Hibbân graded it *Sahih*].

(٥٢٨) وَعَنْ عَمَّارِ بْنِ يَاسِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَنْ صَامَ الْيَوْمَ الَّذِي يُشَكُّ فِيهِ، فَقَدْ عَصَى أَبَا الْقَاسِمِ ﷺ. ذَكَرَهُ الْبُخَارِيُّ تَعْلِيقاً، وَوَصَلَهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**529.** Narrated Ibn 'Umar رضى الله عنهما: I heard Allâh's Messenger صلى الله عليه وسلم saying, "Do not fast till you see the new moon, and do not break your fast till you see it; but if the weather is cloudy, calculate when it should appear." [Agreed upon]. Muslim has:

(٥٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا رَأَيْتُمُوهُ فَصُومُوا، وَإِذَا رَأَيْتُمُوهُ فَأَفْطِرُوا، فَإِنْ غُمَّ عَلَيْكُمْ فَاقْدُرُوا لَهُ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: فَإِنْ أُغْمِيَ عَلَيْكُمْ فَاقْدُرُوا لَهُ

[1] The meaning of *Siyâm* and *Saum* is to "stop" and "refrain from". According to *Shari'a* terminology, it implies to abstinence from eating, drinking and sexual intercourse starting from dawn till sunset, with a firm intention of carrying out the orders of Allâh. Fasting is one of the five pillars in Islâm. One who rejects it, is a disbeliever; and who shuns it, is a disobedient. Fasting was prescribed as an obligation in the year 2 of Hijra calendar.

[2] This *Hadith* tells us that the observing of fast one day prior to the advent of Ramadân, which is a practice among some ignorant and irreligious people, is forbidden.

[3] In case, someone is in the habit of fasting on a particular day which incidentally happens to fall on the day just prior to the commencement of Ramadân, it is permissible for him to fast on that day.

[4] In case the moon of Ramadân is not sighted on the 29th of Sha'bân due to the sky vision being blurred by dust or cloud, one should complete the 30 days of Sha'bân first and then observe fasting. The observance of fast merely on the basis of suspicion or assumption that the moon of Ramadân might possibly have been sighted on the 29th of Sha'bân itself, is forbidden.

ثلاثين. وللبخاري: فأكملوا العدة ثلاثين. وله في حديث أبي هريرة: فأكملوا عدة شعبان ثلاثين.

"If it is cloudy, calculate thirty days when it should appear." Al-Bukhâri has: "Wait till thirty days of the previous month have passed." Another version by Abû Huraira رضي الله عنه has: "Complete the calculation of thirty days[1] of (the month of) Sha'bân."

(٥٣٠) وعن ابن عمر رضي الله تعالى عنهما قال: تراءى الناس الهلال، فأخبرت النبي ﷺ أني رأيته، فصام، وأمر الناس بصيامه. رواه أبو داود، وصححه الحاكم وابن حبان.

**530.** Narrated Ibn 'Umar رضي الله عنهما: The people tried to sight the new moon and he informed the Prophet صلى الله عليه وسلم that he had seen it, so he fasted and commanded the people to fast.[2] [Abû Dâ'ud reported it and Al-Hâkim and Ibn Hibbân graded it *Sahih*].

(٥٣١) وعن ابن عباس رضي الله تعالى عنهما، أن أعرابيا جاء إلى النبي ﷺ فقال: إني رأيت الهلال، فقال: أتشهد أن لا إله إلا الله؟ قال: نعم. قال: أتشهد أن محمداً رسول الله؟ قال نعم، قال: فأذن في الناس يا بلال أن يصوموا غداً. رواه الخمسة، وصححه ابن خزيمة وابن حبان، ورجح النسائي إرساله.

**531.** Narrated Ibn 'Abbâs رضي الله عنهما: A bedouin came to the Prophet صلى الله عليه وسلم and said, "I have seen the new moon (of Ramadân)." He asked, "Do you testify that there is no God but Allâh?" He replied, "Yes." He then asked, "Do you testify that Muhammad is Allâh's Messenger ?" He replied, "Yes I do." He then said, "Bilâl, announce to the people that they should fast tomorrow." [Reported by *Al-Khamsa* and Ibn Khuzaima; Ibn Hibbân graded it *Sahih*, and An-Nasâ'i preferred it as *Mursal*].

(٥٣٢) وعن حفصة أم المؤمنين رضي الله تعالى عنها، أن النبي ﷺ قال: «من لم

**532.** Narrated Hafsa[3] رضي الله عنها, Mother of the Believers: The Prophet صلى الله عليه وسلم said, "No fasting is

[1] This tells us that we should commence and terminate our fasting on the sighting of the moon.

[2] We are thus informed that one witness suffices to herald the commencement of fasting where as to announce the sighting of the *'Eid* crescent, two witnesses are required, a ruling which is in consensus.

[3] She was the daughter of 'Umar bin Al-Khattâb and was married to Khunais bin Hudhâfa As-Sahmi whom she migrated with to Al-Madîna. When he died after Badr, Allâh's Messenger صلى الله عليه وسلم married her in the year 3 H. She died in Sha'bân, 45 H. at the age of 60 years.

accepted from the one who does not commit his intention[1] to fast before dawn."[2] [Reported by *Al-Khamsa*. At-Tirmidhi and An-Nasa'i preponderate it as *Mauquf*, Ibn Khuzaima and Ibn Hibban authenticated it as *Marfu'*].

يُبَيِّتِ الصِّيَامَ قَبْلَ الْفَجْرِ فَلاَ صِيَامَ لَهُ». رَوَاهُ الْخَمْسَةُ، وَمَالَ التِّرْمِذِيُّ وَالنَّسَائِيُّ إِلَى تَرْجِيحِ وَقْفِهِ، وَصَحَّحَهُ مَرْفُوعاً ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

Ad-Dâraqutni has: "No fasting is accepted from the one who does not make the intention to fast at night."

وَلِلدَّارَقُطْنِيِّ: «لاَ صِيَامَ لِمَنْ لَمْ يَفْرِضْهُ مِنَ اللَّيْلِ».

**533.** Narrated 'Aisha رضى الله عنها: The Prophet صلى الله عليه وسلم came to visit me one day and asked, "Do you have anything (to eat)?" I said, "No." He said, "Then I am fasting."[3] Then he came to me another day and I said, "I had been given a present of some *Hais*[4]. He said, "Show it to me, for I had began the day fasting." Then he ate.[5] [Reported by Muslim].

(٥٣٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: دَخَلَ عَلَيْنَا النَّبِيُّ ﷺ ذَاتَ يَوْمٍ فَقَالَ: هَلْ عِنْدَكُمْ شَيْءٌ؟ قُلْنَا: لاَ، قَالَ: فَإِنِّي إِذاً صَائِمٌ، ثُمَّ أَتَانَا يَوْماً آخَرَ، فَقُلْنَا: أُهْدِيَ لَنَا حَيْسٌ، فَقَالَ: أَرِينِيهِ فَلَقَدْ أَصْبَحْتُ صَائِماً، فَأَكَلَ. رَوَاهُ مُسْلِمٌ.

**534.** Narrated Sahl bin Sa'd رضى الله عنه: Allah's Messenger صلى الله عليه وسلم said, "People will continue to be all right as long as they hasten in the breaking of the fast." [Agreed upon].

(٥٣٤) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لاَ يَزَالُ النَّاسُ بِخَيْرٍ مَا عَجَّلُوا الْفِطْرَ» مُتَّفَقٌ عَلَيْهِ.

And in the version of At-Tirmidhi on the authority of Abû Huraira (رضى الله عنه) from the Prophet صلى الله عليه وسلم, who said that Allâh عزوجل said, "The most beloved slave to me in my slaves is

وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: قَالَ اللَّهُ عَزَّ وَجَلَّ: «أَحَبُّ عِبَادِي إِلَيَّ، أَعْجَلُهُمْ فِطْراً».

[1] One of the elements of fasting is *Niyah* (intention). Hence one must make an intention of fasting prior to morning.

[2] One must make an intention of fasting before morning in case he is observing the obligatory (*Fard*) ones. But in case he is observing voluntary (*Nafl*) fasts, it is all right to do the same just before noon.

[3] This *Hadith* is an evidence that the intention of a voluntary observance of fasting does not have to be made necessarily before morning, but the same could be done during daytime also.

[4] A mixture of dates and ghee.

[5] This *Hadith* states that a voluntary fast may be terminated without an excuse too.

the one who hastens in the breaking of the fast."[1]

**535.** Narrated Anas bin Mâlik رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Take a meal (just) before dawn, for there is a blessing in *Sahur* (taking a meal)[2] at that time." [Agreed upon].

(٥٣٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَسَحَّرُوا، فَإِنَّ فِي السُّحُورِ بَرَكَةً». مُتَّفَقٌ عَلَيْهِ.

**536.** Narrated Salmân bin 'Aamir Ad-Dabbî[3] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When one of you breaks his fast, he should do so with some dates; but if he can not get any, he should break his fast with water,[4] for it is purifying." [Reported by *Al-Khamsa*. Ibn Khuzaima, Ibn Hibbân and Al-Hâkim graded it *Sahih*].

(٥٣٦) وَعَنْ سَلْمَانَ بْنِ عَامِرٍ الضَّبِّيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا أَفْطَرَ أَحَدُكُمْ فَلْيُفْطِرْ عَلَى تَمْرٍ، فَإِنْ لَمْ يَجِدْ فَلْيُفْطِرْ عَلَى مَاءٍ، فَإِنَّهُ طَهُورٌ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**537.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade continuous fasting,[5] and a man said, "You fast continuously, O Messenger of Allâh!" He replied, "Who of you is like me? During the night my *Rabb* gives me food and drink." When they

(٥٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْوِصَالِ، فَقَالَ رَجُلٌ مِّنَ الْمُسْلِمِينَ: فَإِنَّكَ تُوَاصِلُ يَا رَسُولَ اللهِ؟ قَالَ: «وَأَيُّكُمْ مِثْلِي؟

---

[1] As long as one is absolutely sure about the setting of the sun, he must not delay breaking his fast, as a delayed breaking of fast is the practice of Jews and Christians.

[2] the Jews and Christians do not observe partaking of *Sahur*. It is reported by Muslim that the eating of *Sahur* is the difference between us and the people of the Scriptures. This facilitates fasting and one gets an increased amount of reward.

[3] Ibn Aus bin Hujr bin 'Amr bin Al-Hârith Ad-Dabbi was a *Sahâbi* who settled at Basra and was an old man during the lifetime of the Prophet صلى الله عليه وسلم. He lived up to the caliphate of Mu'âwiya and it is said that he was killed in the battle of Al-Jamal at the age of 100 years. It is also said that there is no other *Sahâbi* from Ad-Dabbi except him.

[4] The best of the things one may break his fast with, are fresh dates, then dry dates, then water and then salt.

[5] In Arabic *Wisâl* is a term used with reference to a person who does not break his fast in the evening but goes on observing it continuously on to the second day with no eating or drinking in between. This kind of fasting is prohibited.

refused to stop the continuous fasting, he fasted with them for a day and then another then they saw the moon. He then said, "If the new moon had not appeared, I would have made you fast more (in this way)." He seemed to want to punish them when they refused to stop. [Agreed upon].

إِنِّي أَبِيتُ يُطْعِمُنِي رَبِّي وَيَسْقِينِي»، فَلَمَّا أَبَوْا أَنْ يَنْتَهُوا عَنِ الْوِصَالِ وَاصَلَ بِهِمْ يَوْماً، ثُمَّ يَوْماً، ثُمَّ رَأَوُا الْهِلَالَ، فَقَالَ: «لَوْ تَأَخَّرَ الْهِلَالُ لَزِدْتُكُمْ»، كَالْمُنَكِّلِ لَهُمْ حِينَ أَبَوْا أَنْ يَنْتَهُوا. مُتَّفَقٌ عَلَيْهِ.

**538.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one does not abandon falsehood[1] and action in accordance with it and foolishness, Allâh has no need that he should abandon his food and drink." [Reported by Al-Bukhâri, and Abû Dâ'ud].

(٥٣٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ لَمْ يَدَعْ قَوْلَ الزُّورِ، وَالْعَمَلَ بِهِ، وَالْجَهْلَ، فَلَيْسَ لِلَّهِ حَاجَةٌ فِي أَنْ يَدَعَ طَعَامَهُ وَشَرَابَهُ». رَوَاهُ البخاريُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ.

**539.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to kiss[2] and fondle while he was fasting, but he was the one among you who had most control[3] over his sexual desire. [Agreed upon]. Another version of Muslim has in addition: "during Ramadân."

(٥٣٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يُقَبِّلُ وَهُوَ صَائِمٌ، وَيُبَاشِرُ وَهُوَ صَائِمٌ، وَلٰكِنَّهُ كَانَ أَمْلَكَكُمْ لِإِرْبِهِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ، وَزَادَ فِي رِوَايَةٍ: «فِي رَمَضَانَ».

**540.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم had himself cupped when he was wearing the *Ihrâm* (during *Hajj* or *'Umrah*) and also when he was fasting. [Reported by Muslim].

(٥٤٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَهُوَ مُحْرِمٌ، وَاحْتَجَمَ وَهُوَ صَائِمٌ. رَوَاهُ الْبُخَارِيُّ.

**541.** Narrated Shaddâd bin Aus[4] رضي الله عنه: The Prophet صلى الله عليه وسلم came

(٥٤١) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ

[1] The purpose behind fasting is that one should learn to exercise a control on himself. The whole concept of fasting turns abortive if one fails to learn the same.

[2] It is not forbidden to kiss the wife or to embrace her during the state of fasting as the same does not nullify fasting.

[3] 'Aisha رضي الله عنها advises that one should refrain from doing it lest one should make a slip and renders his fasting null and void.

[4] He is Abû Ya'la Al-Ansâri An-Najâri Al-Madani, the nephew of Hassân bin Thâbit. He was learned and very tolerant. He died in Shâm in 58 H. at the age of 75 years.

across a man in Al-Baqi' who was being cupped in Ramadân. He said, "The one who cups and the one who is cupped have broken their fast."[1] [Reported by *Al-Khamsa* except At-Tirmidhi Ahmad, Ibn Khuzaima and Ibn Hibbân graded it *Sahih*].

اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَتَى عَلَى رَجُلٍ بِالْبَقِيعِ، وَهُوَ يَحْتَجِمُ فِي رَمَضَانَ، فَقَالَ: «أَفْطَرَ الْحَاجِمُ وَالْمَحْجُومُ». رَوَاهُ الْخَمْسَةُ إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ أَحْمَدُ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

**542.** Narrated Anas رضي الله عنه: The first time when cupping for one who is fasting was disapproved was that: Ja'far bin Abû-Tâlib had himself cupped when he was fasting and the Prophet صلى الله عليه وسلم came across him and said, "Both of these have broken their fast." Afterwards, the Prophet صلى الله عليه وسلم allowed cupping for one who is fasting. Anas used to have himself cupped when he was fasting. [Ad-Dâraqutni reported it and declared it to be strong].

(٥٤٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَوَّلُ مَا كُرِهَتِ الْحِجَامَةُ لِلصَّائِمِ، أَنَّ جَعْفَرَ بْنَ أَبِي طَالِبٍ احْتَجَمَ وَهُوَ صَائِمٌ، فَمَرَّ بِهِ النَّبِيُّ ﷺ فَقَالَ: **أَفْطَرَ هٰذَانِ**. ثُمَّ رَخَّصَ النَّبِيُّ ﷺ بَعْدُ فِي الْحِجَامَةِ لِلصَّائِمِ، وَكَانَ أَنَسٌ يَحْتَجِمُ وَهُوَ صَائِمٌ. رَوَاهُ الدَّارَقُطْنِيُّ وَقَوَّاهُ.

**543.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم applied kohl[2] in Ramadân when he was fasting. [Reported by Ibn Mâjah through a weak chain of narrators]. At-Tirmidhi said, "Nothing on this subject is sound."

(٥٤٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ اكْتَحَلَ فِي رَمَضَانَ وَهُوَ صَائِمٌ. رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ، وَقَالَ التِّرْمِذِيُّ: لَا يَصِحُّ فِيهِ شَيْءٌ.

**544.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever forgets while fasting and

(٥٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ

[1] It approves by the preceding *Hadîth* that the cupping (letting out blood medically) in the state of fasting is permissible. There seems to be an apparent confliction here but in fact it is not so. This *Hadîth* narrated by Shaddâd bin Aus stands as cancelled due to the fact that Shaddâd arrived during the year of the conquest of Makka, whereas 'Abdullâh bin 'Abbâs described the same to have transpired during the year of the *Hajjat-ul-Wada'* (the last pilgrimage performed by the Prophet صلى الله عليه وسلم). As to the matter of undesirability, the cupping does not invalidate fasting according to the majority of *'Ulama* but the same is undesirable, and that too is in consideration of the fact that the bleeding may cause weakness, which in turn may force someone into breaking his fast. But in case someone is strong enough to withstand any such weakness or drowsiness resulting from the cupping, then the ruling concerning its undesirability is ineffective.

[2] Kohl applied on the eyebrows and eyelashes for beauty or medicinal purposes.

eats or drinks he should complete his fast, for Allâh has fed him and given him drink." [Agreed upon].

نَسِيَ وَهُوَ صَائِمٌ، فَأَكَلَ أَوْ شَرِبَ، فَلْيُتِمَّ صَوْمَهُ، فَإِنَّمَا أَطْعَمَهُ اللَّهُ، وَسَقَاهُ». مُتَّفَقٌ عَلَيْهِ.

In the version of Al-Hâkim, "Whoever breaks his fast forgetfully has no re-fasting or atonement for it."[1] And the narration is sound.

وَلِلْحَاكِمِ: مَنْ أَفْطَرَ فِي رَمَضَانَ نَاسِياً فَلاَ قَضَاءَ عَلَيْهِ وَلاَ كَفَّارَةَ. وَهُوَ صَحِيحٌ.

**545.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one has a sudden attack of vomiting (while fasting), no atonement is required of him, but if he vomits intentionally he must make atonement."[2] [Reported by *Al-Khamsa*; Ahmad found it defective and Ad-Dâraqutni graded it strong].

(٥٤٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ ذَرَعَهُ الْقَيْءُ فَلاَ قَضَاءَ عَلَيْهِ، وَمَنِ اسْتَقَاءَ فَعَلَيْهِ الْقَضَاءُ». رَوَاهُ الْخَمْسَةُ، وَأَعَلَّهُ أَحْمَدُ، وَقَوَّاهُ الدَّارَقُطْنِيُّ.

**546.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم departed to Makka in Ramadân in the year of the conquest and he and the people fasted till he came to Kurâ' Al-Ghamim. He then called for a cup of water which he raised till the people looked at it, and then he drank.[3] He was told afterwards that some of the people had continued to fast, and he said, "Those are the disobedient ones; those are the disobedient ones."[4]

(٥٤٦) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ خَرَجَ عَامَ الْفَتْحِ إِلَى مَكَّةَ، فِي رَمَضَانَ، فَصَامَ، حَتَّى بَلَغَ كُرَاعَ الْغَمِيمِ، فَصَامَ النَّاسُ، ثُمَّ دَعَا بِقَدَحٍ مِنْ مَاءٍ فَرَفَعَهُ، حَتَّى نَظَرَ النَّاسُ إِلَيْهِ، ثُمَّ شَرِبَ، فَقِيلَ لَهُ بَعْدَ ذَلِكَ: إِنَّ بَعْضَ النَّاسِ قَدْ صَامَ، فَقَالَ: «أُولٰئِكَ الْعُصَاةُ، أُولٰئِكَ الْعُصَاةُ».

[1] We are thus informed that the eating or drinking out of forgetfulness does not invalidate fasting. Neither one is obliged to observe a compensational fasting nor he has to pay any expiation.

[2] There is a difference of opinions among the scholars as to whether or not the vomiting invalidates fasting. The view which sounds more correct and reasonable is that if the vomiting occurs by itself, the fasting remains valid, but if the vomiting is an induced one (i.e., someone vomits by himself on his own accord), it does invalidate fasting.

[3] It is permissible to observe fasting during a journey, but it is better not to observe it. In case someone feels exhausted out of exertion during a travel, he is permitted to break his fast. He can compensate for it by fasting later on. But he is not obliged to pay expiation to atone for it.

[4] As a general ruling, it is permitted to fast during a travel. The persons who did not break their fast were called the disobedient ones for the simple reason that as long as the Prophet صلى الله عليه وسلم broke his fast, who are they to go on observing it? Obedience calls for a

Another version has: "The people are finding fasting difficult and are waiting for what you will do." He then called for a cup of water when it was after the *'Asr* prayer and drank. [Reported by Muslim].

وَفِي لَفْظٍ: «فَقِيلَ لَهُ: إِنَّ النَّاسَ قَدْ شَقَّ عَلَيْهِمُ الصِّيَامُ، وَإِنَّمَا يَنْتَظِرُونَ فِيمَا فَعَلْتَ، فَدَعَا بِقَدَحٍ مِنْ مَاءٍ بَعْدَ الْعَصْرِ فَشَرِبَ». رَوَاهُ مُسْلِمٌ.

**547.** Narrated Hamza bin 'Amr Al-Aslamî[1] رضي الله عنه: He said, "O Allâh's Messenger! I find myself strong enough to fast while travelling, so would it be wrong for me to do so?" Allâh's Messenger صلى الله عليه وسلم said, "It is a permission given by Allâh and whoever acts upon it has done well, but if anyone wished to fast he would not be guilty of sin." [Reported by Muslim, its origin is found in Al-Bukhâri and Muslim from 'Aisha's report that Hamza bin 'Amr had asked].

(٥٤٧) وَعَنْ حَمْزَةَ بْنِ عَمْرٍو الْأَسْلَمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ قَالَ: يَا رَسُولَ اللهِ! إِنِّي أَجِدُ بِي قُوَّةً عَلَى الصِّيَامِ فِي السَّفَرِ، فَهَلْ عَلَيَّ جُنَاحٌ؟ فَقَالَ رَسُولُ اللهِ ﷺ: «هِيَ رُخْصَةٌ مِنَ اللهِ، فَمَنْ أَخَذَ بِهَا فَحَسَنٌ، وَمَنْ أَحَبَّ أَنْ يَصُومَ فَلَا جُنَاحَ عَلَيْهِ». رَوَاهُ مُسْلِمٌ، وَأَصْلُهُ فِي الْمُتَّفَقِ عَلَيْهِ مِنْ حَدِيثِ عَائِشَةَ، أَنَّ حَمْزَةَ ابْنَ عَمْرٍو سَأَلَ.

**548.** Narrated Ibn 'Abbâs رضي الله عنهما: An old man is permitted to break his fast (in Ramadân) and feed a poor for every day, and no atonement is required of him.[2] [Reported by Ad-Dâraqutni and Al-Hâkim who also authenticated it].

(٥٤٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رُخِّصَ لِلشَّيْخِ الْكَبِيرِ أَنْ يُفْطِرَ وَيُطْعِمَ عَنْ كُلِّ يَوْمٍ مِسْكِينًا، وَلَا قَضَاءَ عَلَيْهِ. رَوَاهُ الدَّارَقُطْنِيُّ وَالْحَاكِمُ، وَصَحَّحَاهُ.

---

complete compliance with the instructions of the Prophet صلى الله عليه وسلم. The Companions of the Prophet صلى الله عليه وسلم were under the impression that he had instructed them to break their fasting merely out of his love and affection for them, otherwise his Companions رضي الله عنهم would never have done so.

[1] He was a *Sahâbi* considered to be from Al-Hijâz region. He was nicknamed Abû Saleh or Abû Muhammad. His son Muhammad and 'Aisha 'Mother of Believers' رضي الله عنها narrated from him. He died in 61 H. at the age of 80 years.

[2] An old man who is incapable of observing fast may atone for it by offering *Fidya* (compensation). Similarly a sick and invalid person whose health is not likely to improve may also offer *Fidya*. A *Fidya* represents the offering of two times food (meals) to a poor person. The same represents an atonement for one day's missed fasting.

**549.** Narrated Abû Huraira رضي الله عنه: A man[1] came to the Prophet صلى الله عليه وسلم and said, "O Messenger of Allâh, I am ruined." He asked him, "What has ruined you?" He replied, "I have had intercourse with my wife during Ramadân." He then asked him, "Can you get a slave to free?" He said, "No." He asked, "Can you fast two consecutive months?" He said, "No." He asked, "Can you provide food, for sixty poor people?" He said, "No." He then sat down. Meanwhile an *'Araq*[2] containing dates was brought to the Prophet صلى الله عليه وسلم. He said, "Give this as *Sadaqa*." The man said, "Am I to give to one who is poorer than we are? There is no poorer family than mine between the two mountains of Al-Madîna." The Prophet صلى الله عليه وسلم thereupon laughed till his canine teeth appeared, he then said, "Go and feed your family[3] with it."[4] [Reported by *As-Sab'a* and the version is that of Muslim].

(٥٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: هَلَكْتُ يَا رَسُولَ اللهِ! قَالَ: «**وَمَا أَهْلَكَكَ**»؟ قَالَ: وَقَعْتُ عَلَى امْرَأَتِي فِي رَمَضَانَ، فَقَالَ: «**هَلْ تَجِدُ مَا تُعْتِقُ رَقَبَةً**»؟ قَالَ: لاَ، قَالَ: «**فَهَلْ تَسْتَطِيعُ أَنْ تَصُومَ شَهْرَيْنِ مُتَتَابِعَيْنِ**»؟ قَالَ: لاَ، قَالَ: «**فَهَلْ تَجِدُ مَا تُطْعِمُ سِتِّينَ مِسْكِيناً**»؟ قَالَ: لاَ، ثُمَّ جَلَسَ، فَأُتِيَ النَّبِيُّ ﷺ بِعَرَقٍ فِيهِ تَمْرٌ، فَقَالَ: «**تَصَدَّقْ بِهٰذَا**»، فَقَالَ: أَعَلَى أَفْقَرَ مِنَّا؟ فَمَا بَيْنَ لاَبَتَيْهَا أَهْلُ بَيْتٍ أَحْوَجُ إِلَيْهِ مِنَّا، فَضَحِكَ النَّبِيُّ ﷺ حَتَّى بَدَتْ أَنْيَابُهُ، ثُمَّ قَالَ: «**اذْهَبْ فَأَطْعِمْهُ أَهْلَكَ**». رَوَاهُ السَّبْعَةُ وَاللَّفْظُ لِمُسْلِمٍ.

**550.** Narrated 'Aisha and Umm Salma رضي الله عنهما: The Prophet صلى الله عليه وسلم used to get up at dawn[5] while in a

(٥٥٠) وَعَنْ عَائِشَةَ وَأُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ كَانَ يُصْبِحُ

---

[1] This person was Salma bin Sakhr.

[2] A basket containing thirty *Sâ'* of dates.

[3] It becomes thus known to us that in case a person is extremely impoverished, he can also feed his own kith and kin out of his own expiatory money (كفارة). The majority of scholars do not approve of it and some of them claim that this *Hadîth* is null and void. Some regard it as a special ruling meted out specifically to the person in question. But both of these expostulations are not corroborated by an evidence.

[4] This *Hadîth* tells us that a woman is not liable to be subjected to *Kaffâra* (the payment of expiation). The majority of scholars do not approve of it. The applicable ruling is that if both man and woman mutually agree on a sexual intercourse, they are both liable to make the payment of expiation. In case a man does it forcibly, he alone is required to make such a payment and not the woman.

[5] If a man performs a sexual intercourse with his wife during a night of Ramadân, he must take a bath in the morning in case he has sufficient time and then observe his fast. If the time is short, he must perform ablution. If he does not have time even for that, he must

state of *Janâba* (sexual impurity) then he would take a bath and fast. [Agreed upon]. And Muslim added in its narration of Umm-Salama: "He would not miss it.".

جُنُباً مِنْ جِمَاعٍ، ثُمَّ يَغْتَسِلُ وَيَصُومُ. مُتَّفَقٌ عَلَيْهِ، وَزَادَ مُسْلِمٌ فِي حَدِيثِ أُمِّ سَلَمَةَ: «وَلاَ يَقْضِي».

**551.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said, "If anyone dies when some fast due from him has been unfulfilled, his heir must fast[1] on his behalf." [Agreed upon].

(٥٥١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ مَاتَ وَعَلَيْهِ صِيَامٌ، صَامَ عَنْهُ وَلِيُّهُ». مُتَّفَقٌ عَلَيْهِ.

## Chapter 1
## THE VOLUNTARY FASTING AND THE DAYS FASTING HAS BEEN PROHIBITED

## ١ - بَابُ صَوْمِ التَّطَوُّعِ، وَمَا نُهِيَ عَنْ صَوْمِهِ

**552.** Narrated Abû Qatâda Al-Ansâri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم was asked about the fast on the day of *'Arafa*, whereupon he said: "It expiates the sins of the preceding year and the coming year." And he was asked about fasting on the day of *'Ashurâ'*, whereupon he said: "It expiates the sins of the preceding year." He was then asked about fasting on Monday, whereupon he said: "That is the day on which I was born, on it I was commissioned with Prophethood and on it (the Qur'ân) was revealed to me."[2] [Reported by Muslim].

(٥٥٢) عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ سُئِلَ عَنْ صَوْمِ يَوْمِ عَرَفَةَ، قَالَ: «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ وَالْبَاقِيَةَ»، وَسُئِلَ عَنْ صَوْمِ يَوْمِ عَاشُورَاءَ فَقَالَ: «يُكَفِّرُ السَّنَةَ الْمَاضِيَةَ»، وَسُئِلَ عَنْ صَوْمِ يَوْمِ الاثْنَيْنِ، فَقَالَ: «ذٰلِكَ يَوْمٌ وُلِدْتُ فِيهِ، وَبُعِثْتُ فِيهِ، وَأُنْزِلَ عَلَيَّ فِيهِ». رَوَاهُ مُسْلِمٌ.

---

wash off his face and hands, eat *Sahûr* and observe fast. Then he must take a bath immediately at dawn.

[1] In case someone dies without observing his obligatory share of fasting, his inheritors can observe the same on behalf of the deceased and thus the dead person gets exonerated from his obligation.

[2] This means that the minor sins are generally written off by the observance of such an act of fasting, but the major sins can only be forgiven by repentance. As far as the people's rights, liabilities and their monetary obligations in relation to an indebted person are concurred, their forgiveness solely depends on the will of the people one owes to. *'Arafah* is a term used for the ninth day of Dhul-Hijja whereas *'Ashura'* stands for the tenth of Muharram. The Prophet صلى الله عليه وسلم liked fasting on Monday but did not elaborate on its reward.

**553.** Narrated Abû Ayub Al-Ansari رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who fasts Ramadân, and six of Shawwal,[1] it will be (in terms of rewards) as if he has fasted a whole year." [Reported by Muslim].

(٥٥٣) وَعَنْ أَبِي أَيُّوبَ الْأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ صَامَ رَمَضَانَ، ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ، كَانَ كَصِيَامِ الدَّهْرِ». رَوَاهُ مُسْلِمٌ.

**554.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "No slave of Allâh will fast for a day[2] while engaged in *Jihâd,* without Allâh removing Hell-fire a distance of seventy years from his face for that day." [Agreed upon, and this version is of Muslim].

(٥٥٤) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْ عَبْدٍ يَصُومُ يَوْماً فِي سَبِيلِ اللهِ إِلاَّ بَاعَدَ اللَّهُ بِذَلِكَ الْيَوْمِ عَنْ وَجْهِهِ النَّارَ سَبْعِينَ خَرِيفاً». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**555.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to fast to such an extent that we thought he would never break his fast, and he would go without fasting to such an extent that we thought he would never fast. I never saw Allâh's Messenger صلى الله عليه وسلم fast a complete month except in Ramadân, and I never saw him fast more in any month than in Sha'bân. [Agreed upon, and the version is that of Muslim].

(٥٥٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَصُومُ حَتَّى نَقُولَ لَا يُفْطِرُ، وَيُفْطِرُ حَتَّى نَقُولَ لَا يَصُومُ، وَمَا رَأَيْتُ رَسُولَ اللهِ اسْتَكْمَلَ صِيَامَ شَهْرٍ قَطُّ إِلاَّ رَمَضَانَ، وَمَا رَأَيْتُهُ فِي شَهْرٍ أَكْثَرَ مِنْهُ صِيَاماً فِي شَعْبَانَ. مُتَّفَقٌ عَلَيْهِ، واللَّفْظُ لِمُسْلِمٍ.

**556.** Narrated Abû Dhar رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم commanded us to fast three days in the month; on the thirteenth, the

(٥٥٦) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنَا رَسُولُ اللهِ ﷺ أَن نَصُومَ مِنَ الشَّهْرِ ثَلَاثَةَ أَيَّامٍ، ثَلَاثَ عَشْرَةَ، وَأَرْبَعَ عَشْرَةَ،

---

[1] If the thirty days of Ramadân fasting are assimilated with the six days of fasting in Shawwâl, it altogether makes 36 days. According to *Shari'a* (the Islamic law), each virtue is rewarded ten times. Therefore, if we multiply 36 with 10, it makes 360, a number which equals the days of a year. Some scholars are of the opinion that these six days of fasting in Shawwâl must be completed in a continuous order right after the end of Ramadân. Some believe that it is enough to merely complete six days of fasting in Shawwâl (in any order, either successive or with intervals), an opinion which is deemed to be correct.

[2] Fasting in the cause of Allah may imply the observance of fast while being in *Jihâd* (battlefield). It may also mean a voluntary observance of fasting too.

fourteenth and the fifteenth."[1] [Reported by At-Tirmidhi and An-Nasâ'i; Ibn Hibbân graded it *Sahih*].

وَخَمْسَ عَشْرَةَ. رَوَاهُ النَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**557.** Narrated Abû Huraira رضي الله عنه: Allah's Messenger صلى الله عليه وسلم said: "It is not lawful for a woman to fast (optional fasting), when her husband is present, without his permission.[2] [Agreed upon; The version is that of Al-Bukhâri]. Abû Dâ'ud added: "other than Ramadân."

(٥٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**لَا يَحِلُّ لِلْمَرْأَةِ أَنْ تَصُومَ، وَزَوْجُهَا شَاهِدٌ، إِلَّا بِإِذْنِهِ**». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ، زَادَ أَبُو دَاوُدَ: «**غَيْرَ رَمَضَانَ**».

**558.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade fasting on two days, the day of *Al-Fitr* (breaking the fast of Ramadân) and the day of *Al-Adha* (offering sacrifices). [Agreed upon].

(٥٥٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ صِيَامِ يَوْمَيْنِ: يَوْمِ الْفِطْرِ، وَيَوْمِ النَّحْرِ. مُتَّفَقٌ عَلَيْهِ.

**559.** Narrated Nubaisha Al-Hudhali[3] رضي الله عنه Allâh's Messenger صلى الله عليه وسلم said, "The days of *At-Tashrîq*[4] are days of eating, drinking and remembrance of Allâh, the Great and Glorious." [Reported by Muslim].

(٥٥٩) وَعَنْ نُبَيْشَةَ الْهُذَلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**أَيَّامُ التَّشْرِيقِ أَيَّامُ أَكْلٍ وَشُرْبٍ وَذِكْرِ اللهِ عَزَّ وَجَلَّ**». رَوَاهُ مُسْلِمٌ.

**560.** Narrated 'Aisha and Ibn 'Umar رضي الله عنهم: Nobody was allowed to fast

(٥٦٠) وَعَنْ عَائِشَةَ وَابْنِ عُمَرَ رَضِيَ

[1] This is known as the fasting of *Ayyâm Al-Beed* (bright days), a heavenly radiation (because of full moon) lingers all through the nights following these specified fasting days.

[2] A woman is forbidden to observe a voluntary fast without acquiring her husband's permission. Even if she intends to observe a compensatory fast (in lieu of the missed obligatory one), she still need to ask for her husband's permission.

[3] He is Abû Turaif Nubaisha bin 'Abdullâh bin 'Amr bin 'Itâb Al-Hudhali. He is a *Sahâbi* who has eleven *Ahadîth*. He settled at Basra and was called, Nubaisha the benevolent.

[4] *Ayyam At-Tashrîq* is a term used for the eleventh, twelfth, and thirteenth of Dhul Hijja. It is forbidden to fast during these days. Someone who is performing *Hajj* may observe fasting on the said days if he fails to get an animal for sacrifice; the others are not allowed. In addition to it, it is also forbidden to fast on the days of two *'Eid*, irrespective of the fact whether the fasting happens to be a voluntary one or a compensatory one.

on the days of *At-Tashriq* except those who could not afford the *Al-Hady* (sacrifices). [Reported by Al-Bukhâri].

اللَّهُ تَعَالَى عَنْهُمْ قَالاَ: لَمْ يُرَخَّصْ فِي أَيَّامِ التَّشْرِيقِ أَن يُصَمْنَ إِلاَّ لِمَنْ لَمْ يَجِدِ الْهَدْيَ. رَوَاهُ الْبُخَارِيُّ.

**561.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Do not single out the night (preceding) Friday among the nights for prayer and do not single out Friday among the days for fasting, unless it occurs during a fast, one of you is observing." [Reported by Muslim].

(٥٦١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ تَخُصُّوا لَيْلَةَ الْجُمُعَةِ بِقِيَامٍ، مِنْ بَيْنِ اللَّيَالِي، وَلاَ تَخُصُّوا يَوْمَ الْجُمُعَةِ بِصِيَامٍ، مِنْ بَيْنِ الأَيَّامِ، إِلاَّ أَنْ يَكُونَ فِي صَوْمٍ يَصُومُهُ أَحَدُكُمْ». رَوَاهُ مُسْلِمٌ.

**562.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "None of you should fast on Friday,[1] unless he fasts (it together with) a day before it or a day after it." [Agreed upon].

(٥٦٢) وَعَنْهُ أَيْضاً قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ يَصُومَنَّ أَحَدُكُمْ يَوْمَ الْجُمُعَةِ، إِلاَّ أَنْ يَصُومَ يَوْماً قَبْلَهُ، أَوْ يَوْماً بَعْدَهُ». مُتَّفَقٌ عَلَيْهِ.

**563.** Narrated (Abû Huraira) رضي الله عنه: Allah's Messenger صلى الله عليه وسلم said: "When the (month of) Sha'bân is halfway, do not fast."[2] [Reported by *Al-Khamsa*. Ahmad disapproved it].

(٥٦٣) وَعَنْهُ أَيْضاً أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا انْتَصَفَ شَعْبَانُ فَلاَ تَصُومُوا». رَوَاهُ الْخَمْسَةُ، وَاسْتَنْكَرَهُ أَحْمَدُ.

**564.** Narrated As-Sammâ' bint Busr[3] رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Do not fast on a Saturday[4] except what has been

(٥٦٤) وَعَنِ الصَّمَّاءِ بِنْتِ بُسْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لاَ تَصُومُوا يَوْمَ السَّبْتِ إِلاَّ فِيمَا افْتُرِضَ

---

[1] It is prohibited to observe fast on Friday alone. This prohibition applies on a person who deliberately observes fast on Friday with the intention that he will get more reward for it on this particular day.

[2] One can fast provided he has to observe a compensatory fasting (in lieu of the *Fard* — obligatory ones) or the other prescribed ones which may be categorised as *Wâjib* (compulsory). However, the volitional fasting is prohibited lest one should be subjected to exhaustion and weakness that may in turn render the Ramadân obligatory fasting difficult for him.

[3] As-Sammâ's name was Buhaiya or Bahima bint Busr. She was a *Sahâbiya* from the clan of Mâzin. She was said to be the sister or the aunt of 'Abdullâh bin Busr.

[4] Since Saturday carries a special importance for the Jews and they observe fast on this day, pay deference to it and as long as the observance of fasting strikes a resemblance with the

made obligatory on you; and if one of you can get nothing but a grape-skin or a piece of wood from a tree, he should chew it." [Reported by *Al-Khamsa*, its narrators are reliable, but it is *Muztarib* (confounding), Mâlik disapproved it and Abû Dâ'ud said, 'It is *Mansûkh* (abrogated).']

عَلَيْكُمْ، فَإِنْ لَمْ يَجِدْ أَحَدُكُمْ إِلاَّ لِحَاءَ عِنَبٍ، أَوْ عُودَ شَجَرَةٍ، فَلْيَمْضُغْهَا». رَوَاهُ الْخَمْسَةُ، وَرِجَالُهُ ثِقَاتٌ، إِلاَّ أَنَّهُ مُضْطَرِبٌ، وَقَدْ أَنْكَرَهُ مَالِكٌ، وَقَالَ أَبُو دَاوُدَ: هُوَ مَنْسُوخٌ.

**565.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to fast mostly on Saturday and Sunday, and he used to say, "They are festival days for the polytheists, and I like to act contrary to them." [Reported by An-Nasâ'i and Ibn Khuzaima graded it *Sahih* and this is his version].

(٥٦٥) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ أَكْثَرَ مَا كَانَ يَصُومُ مِنَ الأَيَّامِ، يَوْمُ السَّبْتِ، وَيَوْمُ الأَحَدِ، وَكَانَ يَقُولُ: «إِنَّهُمَا يَوْمَا عِيدٍ لِلْمُشْرِكِينَ، وَأَنَا أُرِيدُ أَنْ أُخَالِفَهُمْ». أَخْرَجَهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ، وَهٰذَا لَفْظُهُ.

**566.** Narrated Abû Huraira رضي الله عنه: the Prophet صلى الله عليه وسلم prohibited fasting on the day of '*Arafa* at 'Arafât.[1] [Reported by *Al-Khamsa* except At-Tirmidhi; Ibn Khuzaima and Al-Hâkim authenticated it, and Al-'Uqaili disapproved it].

(٥٦٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ صَوْمِ يَوْمِ عَرَفَةَ بِعَرَفَةَ. رَوَاهُ الْخَمْسَةُ غَيْرَ التِّرْمِذِيِّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَالْحَاكِمُ، وَاسْتَنْكَرَهُ الْعُقَيْلِيُّ.

**567.** Narrated 'Abdullah bin 'Umar رضي الله عنهما: Allah's Messenger صلى الله عليه وسلم said, "May he who observes a perpetual fasting[2], never fasts."

(٥٦٧) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ:

---

Jews, hence the Prophet صلى الله عليه وسلم has prohibited singling out Saturday only to this end. But Umm Salama رضي الله عنها narrates that the Prophet صلى الله عليه وسلم observed fast on Saturday and Sunday both. Since Saturday is the day of festivity among the Jews, the Prophet صلى الله عليه وسلم fasted on this day to violate the Jewish norms and in order to supplement the reward of it, he also fasted on Sunday.

[1] It is prohibited for the one performing *Hajj* to fast on the day of '*Arfah* (the ninth of Dhul-Hijja) since one has to face a lot of hardships and rigorous trials on this day. Therefore, the observance of fasting on this day may lead to exhaustion and weakness which in turn may prove to be a hindrance in performing the ritual components of *Hajj*. Other people (the ones who are not performing *Hajj*) are not prohibited to fast on this day, neigh, the same carries a great importance and reward.

[2] Some ignorant people keep observing fast on a perpetual basis. This *Hadîth* clearly proves that this practice is prohibited. The majority of scholars are of the opinion that it is forbidden to always observe fasting as the same enfeebles a person and thus causes

[Agreed upon]. In the version of Muslim, it is reported by Abû Qatada as: "May he not fast or break his fast."

«لاَ صَامَ مَنْ صَامَ ٱلأَبَدَ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ عَنْ أَبِي قَتَادَةَ بِلَفْظِ: «لاَ صَامَ وَلاَ أَفْطَرَ».

## Chapter 2
## *AL-I'TIKAF* AND OFFERING OF PRAYERS DURING THE NIGHTS OF RAMADAN

## ٢ - بَابُ ٱلاعْتِكَافِ وَقِيَامِ رَمَضَانَ

**568.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who prays during the night in Ramadân[1] with faith and seeking his reward[2] from Allâh will have his past sins forgiven." [Agreed upon].

(٥٦٨) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ قَامَ رَمَضَانَ إِيمَاناً وَاحْتِسَاباً غُفِرَ لَهُ مَا تَقَدَّمَ مِنْ ذَنْبِهِ». مُتَّفَقٌ عَلَيْهِ.

**569.** Narrated 'Aisha رضى الله عنها: When the last ten days of Ramadân began, Allah's Messenger صلى الله عليه وسلم preoccupied himself with the worship of Allâh, stayed awake at night and awakened his family. [Agreed upon].

(٥٦٩) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا دَخَلَ الْعَشْرُ، ـ أَيِ الْعَشْرُ الأَخِيرَةُ مِنْ رَمَضَانَ، ـ شَدَّ مِئْزَرَهُ، وَأَحْيَا لَيْلَهُ، وَأَيْقَظَ أَهْلَهُ مُتَّفَقٌ عَلَيْهِ.

**570.** Narrated ('Aisha) رضى الله عنها: When the Prophet صلى الله عليه وسلم intended to engage in private devotion in the mosque, he prayed the dawn prayer and then entered his place of seclusion. [Agreed upon].

(٥٧٠) وَعَنْهَا رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ النَّبِيُّ ﷺ إِذَا أَرَادَ أَنْ يَعْتَكِفَ، صَلَّى الْفَجْرَ ثُمَّ دَخَلَ مُعْتَكَفَهُ. مُتَّفَقٌ عَلَيْهِ.

---

hindrance in many of his religious and worldly activities. It is stated in a *Hadith* that a person owes some liability to his own physique and bodily existence too, thereby giving some rest to himself from time to time. Even the Prophet صلى الله عليه وسلم followed the same course of action by observing fast some day and leaving it the other day.

[1] *Qiyâm* stands for performing the voluntary prayers (*Tarâwih*) during Ramadân nights. By the virtue of this prayer, one's previous sins are all absolved and forgiven, provided the one performing the same harbors a complete and absolute faith in the commitment made by Allâh in regard to it's reward.

[2] It implies that the same should not be done for the purpose of merely showing-off. If so, one's all the minor sins are forgiven and written off. Some scholars make this statement to be a conditional one that the forgiveness is only possible if the person performing it has a sound '*Aqîda* (Belief — Creed).

**571.** Narrated ('Aisha) رضي الله عنها: The Prophet صلى الله عليه وسلم used to engage in private devotions in the mosque during the last ten days of Ramadân till Allâh, Who is Great and Glorious took his soul (to His Mercy), and then his wives[1] followed this practice after his death. [Agreed upon].

(٥٧١) وَعَنْهَا أَنَّ النَّبِيَّ ﷺ كَانَ يَعْتَكِفُ الْعَشْرَ الْأَوَاخِرَ مِنْ رَمَضَانَ، حَتَّى تَوَفَّاهُ اللَّهُ عَزَّ وَجَلَّ، ثُمَّ اعْتَكَفَ أَزْوَاجُهُ مِنْ بَعْدِهِ. مُتَّفَقٌ عَلَيْهِ.

**572.** Narrated ('Aisha) رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم would put his head in my room when he was in the mosque, and I would then comb it, while he was engaged in private devotional worship in the mosque, and he would never enter the house except for a need.[2] [Agreed upon; the version is of Al-Bukhâri].

(٥٧٢) وَعَنْهَا قَالَتْ: إِنْ كَانَ رَسُولُ اللهِ ﷺ لَيُدْخِلُ عَلَيَّ رَأْسَهُ، – وَهُوَ فِي الْمَسْجِدِ، – فَأُرَجِّلُهُ، وَكَانَ لَا يَدْخُلُ الْبَيْتَ إِلَّا لِحَاجَةٍ، إِذَا كَانَ مُعْتَكِفاً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**573.** Narrated ('Aisha) رضي الله عنها: The *Sunna* for one who is observing a period of private devotional worship in a mosque is not to visit a sick, or attend a funeral, or neither touch nor fondle a woman,[3] or go out for anything unless very necessary for him. There is no period of private devotion in a mosque without fasting, and it must be carried out in a congregational mosque. [Abû Dâ'ud reported it, and its narrators are authentic, but it is generally regarded as *Mawqûf* (untraceable)].

(٥٧٣) وَعَنْهَا قَالَتْ: السُّنَّةُ عَلَى الْمُعْتَكِفِ أَنْ لَا يَعُودَ مَرِيضاً، وَلَا يَشْهَدَ جَنَازَةً، وَلَا يَمَسَّ امْرَأَةً، وَلَا يُبَاشِرَهَا، وَلَا يَخْرُجَ لِحَاجَةٍ إِلَّا لِمَا لَا بُدَّ لَهُ مِنْهُ، وَلَا اعْتِكَافَ إِلَّا بِصَوْمٍ. وَلَا اعْتِكَافَ إِلَّا فِي مَسْجِدٍ جَامِعٍ. رَوَاهُ أَبُو دَاوُدَ، وَلَا بَأْسَ بِرِجَالِهِ، إِلَّا أَنَّ الرَّاجِحَ وَقْفُ آخِرِهِ.

**574.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said: "Fasting

(٥٧٤) وَعَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ

[1] According to this *Hadîth*, women too should observe *I'tikâf* (sitting in a complete confinement preferably in a mosque and offering prayers and supplications during the last ten days of Ramadân). But the women should observe the same in their own houses.

[2] Here, 'a need' (الحاجة) implies responding to the call of nature in terms of urination or defecation.

[3] Here, touching a woman implies the act of copulation which unanimously nullifies *I'tikâf*, otherwise touching a woman in itself is not prohibited.

is not incumbent[1] on one who observes a period of private devotional worship unless he imposes[2] it on himself." [Reported by Ad-Dâraqutni and Al-Hâkim. It is regarded as *Mawqûf* too].

تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَيْسَ عَلَى الْمُعْتَكِفِ صِيَامٌ، إِلاَّ أَنْ يَجْعَلَهُ عَلَى نَفْسِهِ». رَوَاهُ الدَّارَقُطْنِيُّ وَالْحَاكِمُ، وَالرَّاجِحُ وَقْفُهُ أَيْضاً.

**575.** Narrated Ibn 'Umar رضي الله عنهما: Some of the Prophet's صلى الله عليه وسلم companions saw in their dreams that *Lailat-ul-Qadr* was among the last seven nights (of Ramadân), so Allâh's Messenger صلى الله عليه وسلم said, "I see that your dreams agree regarding the last seven nights so, if anyone is to seek it he should do so during the last seven nights."[3] [Agreed upon].

(٥٧٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رِجَالاً مِنْ أَصْحَابِ النَّبِيِّ ﷺ أُرُوا لَيْلَةَ الْقَدْرِ فِي الْمَنَامِ، فِي السَّبْعِ الْأَوَاخِرِ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَرَى رُؤْيَاكُمْ قَدْ تَوَاطَأَتْ فِي السَّبْعِ الْأَوَاخِرِ، فَمَنْ كَانَ مُتَحَرِّيهَا، فَلْيَتَحَرَّهَا فِي السَّبْعِ الْأَوَاخِرِ». مُتَّفَقٌ عَلَيْهِ.

**576.** Narrated Mu'âwiya bin Abû Sufyân رضي الله عنهما: With regard to *Lailat-ul-Qadr*, the Prophet صلى الله عليه وسلم said, "It is the twenty-seventh night." [Reported by Abû Dâ'ud and it is generally regarded as *Mawqûf*].

(٥٧٦) وَعَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ فِي لَيْلَةِ الْقَدْرِ: «لَيْلَةُ سَبْعٍ وَعِشْرِينَ». رَوَاهُ أَبُو دَاوُدَ، وَالرَّاجِحُ وَقْفُهُ.

Forty different sayings were mentioned regarding the exact night of *Lailat-ul-Qadr* and I mentioned them in *Fath Al-Bâri*.

وَقَدِ اخْتُلِفَ فِي تَعْيِينِهَا عَلَى أَرْبَعِينَ قَوْلاً، أَوْرَدْتُهَا فِي فَتْحِ الْبَارِي.

**577.** Narrated 'Aisha رضي الله عنها: I said, "O Allâh's Messenger, tell me, if I know which night *Lailat-ul-Qadr*

(٥٧٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! أَرَأَيْتَ إِنْ

[1] It implies the regular days, other than Ramadân.

[2] Fasting does not become binding on the one who is observing *I'tikâf* untill he himself vows to observe fasting.

[3] A *Hadîth* which is narrated by 'Abdullâh bin 'Umar رضي الله عنهما according to *Sahihain*, states that one should search for *Lailat-ul-Qadr* (Night of Decree) within the last ten nights of Ramadân. If the same is not possible, then one should look for it within the last seven nights, specially the odd ones like 21st, 23rd, 25th, 27th and 29th.

is,[1] what (prayers) should I say on it?' He said, "Say, O Allâh, You are forgiving and love forgiveness, so forgive me." [Reported by the *Al-Khamsa* except Abû Dâ'ud; At-Tirmidhi and Al-Hâkim authenticated it].

عَلِمْتُ أَيُّ لَيْلَةٍ لَيْلَةُ الْقَدْرِ، ما أقول فيها؟ قَالَ: «قُولِي اللَّهُمَّ إِنَّكَ عَفُوٌّ، تُحِبُّ العَفْوَ، فَاعْفُ عَنِّي». رَوَاهُ الْخَمْسَةُ غَيْرَ أَبِي دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالْحَاكِمُ.

**578.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not set out on a journey except for three mosques; i.e., *Al-Masjid Al-Harâm* (at Makka), my *Masjid* (at Al-Madîna) and *Al-Masjid Al-Aqsâ* (Mosque of Jerusalem)."[2] [Agreed upon].

(٥٧٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَشُدُّوا الرِّحَالَ إِلاَّ إِلى ثَلاَثَةِ مَسَاجِدَ، الْمَسْجِدِ الْحَرَامِ، وَمَسْجِدِي هَذَا، وَالْمَسْجِدِ الأَقْصَى». مُتَّفَقٌ عَلَيْهِ.

---

[1] The preponderant view concerning *Lailat-ul-Qadr* is that this night occurs within the last ten nights of Ramadân particularly in its odd nights and the same keeps changing in Ramadân alternatively. This night sometimes may occur on 21st, or 23rd, or 25th etc. It can not be stated with an absolute certainty as to which of these particular nights is *Lailat-ul-Qadr*, but the same has been kept in a shroud of mystery and this is what the contents of *Ahâdith* imply.

[2] As mentioned in an earlier *Hadîth*, the observance of *I'tikâf* must take place in a mosque. Some of the scholars have conditioned *I'tikâf* with these three mosques but the compiler refutes and negates their viewpoint and maintains that the three above stated mosques have not been specified for the observance of *I'tikâf*, but the same have been pin pointed for the purpose of visit and pilgrimage. This *Hadîth* further enlightens us that it is not permissible to proceed to anyplace other than these three mosques with the intention of getting reward. If someone goes to the Prophet's mosque, he must also enjoy the honour of visiting Prophet's (صلى الله عليه وسلم) grave. As to the ones who travel to visit the entombed graves of *Auliya-Allâh* (saints) with the intention of earning reward, such are the people who are committing innovation in the religion.

# 6. THE BOOK OF *HAJJ* (PILGRIMAGE)

# ٦ - كِتَابُ الحَجِّ

## Chapter 1 *HAJJ* — ITS MERIT AND THE DEFINITION OF THOSE TO WHOM IT WAS PRESCRIBED

## (١) بَابُ فَضْلِهِ وَبَيَانُ مَنْ فُرِضَ عَلَيْهِ

**579.** Narrated Abû Huraira رضي الله عنه: Allah's Messenger صلى الله عليه وسلم said, "An '*Umrah* is an expiation for sins committed between it and the next, but an accepted *Hajj* will receive no less a reward than Paradise."[1] [Agreed upon].

(٥٧٩) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**الْعُمْرَةُ إِلَى الْعُمْرَةِ كَفَّارَةٌ لِمَا بَيْنَهُمَا، وَالْحَجُّ الْمَبْرُورُ لَيْسَ لَهُ جَزَاءٌ إِلاَّ الْجَنَّةَ**». مُتَّفَقٌ عَلَيْهِ.

**580.** Narrated 'Aisha رضـي اللـه عنهـا: I asked, Allâh's Messenger صلى الله عليه وسلم, "Is *Jihâd* incumbent upon women?" He replied, "Yes, *Jihâd* which does not include fighting is incumbent upon them, it is the *Hajj* and the '*Umrah*."[2] [Ahmad and Ibn Mâjah reported it and the version is the latter's; its chain of narrators is sound, and its origin is found in the *Sahih* of Al-Bukhâri].

(٥٨٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! عَلَى النِّسَاءِ جِهَادٌ؟ قَالَ: «**نَعَمْ، عَلَيْهِنَّ جِهَادٌ لاَ قِتَالَ فِيهِ؛ الْحَجُّ وَالْعُمْرَةُ**». رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَاللَّفْظُ لَهُ، وَإِسْنَادُهُ صَحِيحٌ، وَأَصْلُهُ فِي الصَّحِيحِ.

**581.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: A bedouin came to the Prophet صلـى اللـه عليـه وسـلم and said, "O Allâh's Messenger, tell me about the '*Umrah*,

(٥٨١) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَتَى النَّبِيَّ ﷺ أَعْرَابِيٌّ، فَقَالَ: يَا رَسُولَ اللهِ! أَخْبِرْنِي عَنِ الْعُمْرَةِ،

[1] No particular day has been specified for '*Umrah*. One can perform it whenever he likes. *Hajj Mabrûr* (an accepted *Hajj*) is the one which is performed by someone with a right intention and sincerity. All the pertinent rituals be performed and observed to perfection pursuant to which a *Haji* (pilgrim) feels himself more inclined towards piety and righteousness.

[2] It thus becomes known to us that there is no obligation on women to participate in the *Jihâd* wherein one has to fight off in a battlefield. This *Hadîth* tells us that the women, by performing *Hajj* are entitled to the reward of *Jihâd*.

is it incumbent?"[1] He replied, "No, but it is better for you to perform '*Umrah*." [Reported by Ahmad & At-Tirmidhi. It's been established to be *Mawqûf*].

Narrated Jâbir رضي الله عنه: *Hajj* and '*Umrah* are two duties. [Reported by Ibn 'Adi as *Da'if*].

**582.** Narrated Anas رضي الله عنه: It was said, "O Allah's Messenger, what is the meaning of *As-Sabîl*?"[2] He replied, "Provisions and a riding beast." [Reported by Ad-Dâraqutni; Al-Hâkim authenticated it. Its been established as *Mursal*]. The version of At-Tirmidhi by Ibn 'Umar (رضي الله عنهما) is the same which has weakness in its chain of narrators.

**583.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم met some riders at Ar-Rawhâ' and asked, "Who are you?" They replied, "We are Muslims", and they asked, "Who are you?" He said, "Allâh's Messenger." Then a woman lifted up a boy to him and asked, "Would this be credited with having performed the *Hajj* (pilgrimage)?" He replied, "Yes, and

أَوَاجِبَةٌ هِيَ؟ فَقَالَ: «**لَا، وَأَنْ تَعْتَمِرَ خَيْرٌ لَكَ**». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَالرَّاجِحُ وَقْفُهُ.

وَأَخْرَجَهُ ابْنُ عَدِيٍّ مِنْ وَجْهٍ آخَرَ ضَعِيفٍ، وَعَنْ جَابِرٍ مَرْفُوعاً: «**الْحَجُّ وَالْعُمْرَةُ فَرِيضَتَانِ**».

(٥٨٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قِيلَ يَا رَسُولَ اللهِ! مَا السَّبِيلُ؟ قَالَ: «**الزَّادُ وَالرَّاحِلَةُ**». رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَهُ الْحَاكِمُ، وَالرَّاجِحُ إِرْسَالُهُ، أَخْرَجَهُ التِّرْمِذِيُّ مِنْ حَدِيثِ ابْنِ عُمَرَ أَيْضاً، وَفِي إِسْنَادِهِ ضَعْفٌ.

(٥٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَقِيَ رَكْباً بِالرَّوْحَاءِ، فَقَالَ: «**مَنِ الْقَوْمُ**»؟ قَالُوا: الْمُسْلِمُونَ، فَقَالُوا: مَنْ أَنْتَ؟ قَالَ: «**رَسُولُ اللهِ**»، فَرَفَعَتْ إِلَيْهِ امْرَأَةٌ صَبِيّاً، فَقَالَتْ: أَلِهٰذَا حَجٌّ؟ قَالَ: «**نَعَمْ، وَلَكِ أَجْرٌ**». رَوَاهُ مُسْلِمٌ.

---

[1] '*Umrah* lexically means 'a visit'. According to *Shari'a* terminology, it implies "In the state of *Ihrâm* the circumambulation of Ka'ba, running between As-Safa and Al-Marwa and shaving or shortening one's hair." There is a difference of opinions among scholars as to whether or not '*Umrah* be regarded as *Wâjib* (compulsory). Some scholars regard it as *Mustahab* (desirable). Allâh knows the best.

[2] Allâh the Exalted One has said in the Qur'ân that the performance of *Hajj* is binding on those who are capable to be on the way for it. Someone questioned the Prophet صلى الله عليه وسلم as to what does the word *As-Sabil* (the way) stands for? He (صلى الله عليه وسلم) answered that the same stands for one's own travel expenses and the expenses concerning the provisions of one's household and then the availability of the mode of transport. Once all these things are available to him, it becomes binding on him to perform *Hajj*. But the expenses thus incurred should not be at the cost of indebtedness (i.e., he has to be free from all his debts), for, as long as he is indebted to other people, he is not obligated to perform *Hajj*. The ones living near Makka are exempted from the condition of possessing a mode of transport.

you will have a reward."[1] [Reported by Muslim].

**584.** Narrated (Ibn 'Abbâs) رضي الله عنهما: Al-Fadl bin 'Abbâs[2] was riding behind Allâh's Messenger صلى الله عليه وسلم. A woman of Khath'am came and Al-Fadl began to look at her and she looked at him. The Prophet صلى الله عليه وسلم turned his face to the other side. She then asked, "O Allâh's Messenger, Allâh's ordinance that His slaves should perform the *Hajj* (pilgrimage) has come when my father is a very old man and is unable to sit firmly on a camel. May I perform the *Hajj* on his behalf?" He replied, "Yes."[3] That was at the *Hajjat-ul-Wadâ'* (the Farewell pilgrimage). [Agreed upon, and the version is that of Al-Bukhâri].

(٥٨٤) وَعَنْهُ قَالَ: كَانَ الْفَضْلُ بْنُ عَبَّاسٍ رَدِيفَ رَسُولِ اللهِ ﷺ، فَجَاءَتِ امْرَأَةٌ مِنْ خَثْعَمَ، فَجَعَلَ الْفَضْلُ يَنْظُرُ إِلَيْها، وَتَنْظُرُ إِلَيْهِ، وَجَعَلَ النَّبِيُّ ﷺ يَصْرِفُ وَجْهَ الْفَضْلِ إِلَى الشِّقِّ الآخَرِ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ فَرِيْضَةَ اللهِ عَلَى عِبَادِهِ فِي الْحَجِّ أَدْرَكَتْ أَبِيْ شَيْخاً كَبِيْراً، لاَ يَثْبُتُ عَلَى الرَّاحِلَةِ، أَفَأَحُجُّ عَنْهُ؟ قَالَ: «نَعَمْ»، وَذَلِكَ فِي حَجَّةِ الْوَدَاعِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

---

[1] This *Hadîth* tells us that the reward of a good deed done by a non-adult (child) reaches his parents. It further tells us that in terms of the performance of *Hajj* rituals, the infants are governed by the same ruling as their mother (i.e., their mother's *Ihrâm* becomes their *Ihrâm* and their mother's running becomes their own running, etc.). In case someone has performed *Hajj* before reaching his puberty, he is obligated to perform another *Hajj* after attaining adulthood, provided he possess enough funds to pay for its expenses and the mode of transport.

[2] He was the Prophet صلى الله عليه وسلم cousin and his mother was called Umm Fadl Lubaba Al-Kubra bint Al-Hârith Al-Hilâliya. Al-Fadl was elegant and handsome. He stood firm with the Prophet صلى الله عليه وسلم during the battle of Hunain and attended the washing of the Prophet's body. He was the eldest son of Al-'Abbâs. He went out for *Jihâd* in Shâm and it is said that he died in the plague called 'Amwâs in Jordan in 18 H. It is also said that he was martyred in Yarmuk or in Damascus while wearing the armour of the Prophet صلى الله عليه وسلم.

[3] *Hajj* becomes an obligation on the person who possesses enough funds to undertake a pilgrimage, finds his way clear and safe, gets his government's permission and has an access to the mode of transport too. And if this person enjoys a robust and sound health, he must go on the pilgrimage by himself. In case this person sends someone else to perform *Hajj* on his behalf, the same is not acceptable. If a person happens to be such an old man who is quite incapacitated or is suffering from such a debilitating illness from which he has no hope of recovery, it is permissible for him to send someone else on his behalf by giving him money. Thus he could be free from his own *Hajj* obligation. But the condition which strictly applies on such a case is that a person sent to *Hajj* thereof on someone else's behalf must have already performed his own obligatory *Hajj* prior to this one.

**585.** Narrated (Ibn 'Abbâs) رضي الله عنهما: A woman of Juhaina came to the Prophet صلى الله عليه وسلم and said, "My mother had taken a vow to perform the *Hajj*, but did not till she died. May I perform the *Hajj* on her behalf?" He replied, "Yes, perform the *Hajj* on her behalf. Tell me, supposing your mother had a debt, would you pay it? Pay the debt due to Allâh, for Allâh deserves most the payment of his debt."[1] [Reported by Al-Bukhâri].

(٥٨٥) وَعَنْهُ أَنَّ امْرَأَةً مِنْ جُهَيْنَةَ جَاءَتْ إِلَى النَّبِيِّ ﷺ، فَقَالَتْ: إِنَّ أُمِّي نَذَرَتْ أَنْ تَحُجَّ، فَلَمْ تَحُجَّ، حَتَّى مَاتَتْ، أَفَأَحُجُّ عَنْهَا؟ قَالَ: «نَعَمْ، حُجِّي عَنْهَا، أَرَأَيْتِ لَوْ كَانَ عَلَى أُمِّكِ دَيْنٌ أَكُنْتِ قَاضِيَتَهُ؟ اقْضُوا اللَّهَ، فَاللَّهُ أَحَقُّ بِالْوَفَاءِ». رَوَاهُ الْبُخَارِيُّ.

**586.** Narrated (Ibn 'Abbâs) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If any minor performs the *Hajj* (pilgrimage) and afterwards attains the age of puberty he must then perform another *Hajj*; and if any slave performs the *Hajj* and afterwards is freed, he must then perform another *Hajj*." [Reported by Ibn Abû-Shaiba and Al-Baihaqi. Its chain of narrators is reliable, but its been disagreed on whether it is *Marfû'* (traceable). However it has been established to be *Mawqûf* (untraceable)].

(٥٨٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَيُّمَا صَبِيٍّ حَجَّ، ثُمَّ بَلَغَ الْحِنْثَ، فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى، وَأَيُّمَا عَبْدٍ حَجَّ، ثُمَّ أُعْتِقَ فَعَلَيْهِ أَنْ يَحُجَّ حَجَّةً أُخْرَى». رَوَاهُ ابْنُ أَبِي شَيْبَةَ وَالْبَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ، إِلاَّ أَنَّهُ اخْتُلِفَ فِي رَفْعِهِ، وَالْمَحْفُوظُ أَنَّهُ مَوْقُوفٌ.

**587.** Narrated (Ibn 'Abbâs) رضي الله عنهما: I heard Allâh's Messenger صلى الله عليه وسلم addressing and saying, "A man must not be alone with a woman unless when a man who is a *Mahram*[2] is

(٥٨٧) وَعَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَخْطُبُ يَقُولُ: «لاَ يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ، وَلاَ تُسَافِرُ الْمَرْأَةُ إِلاَّ

[1] This *Hadith* tells us that if someone dies in a condition that the performance of *Hajj* was obligatory on him in his lifetime, then it becomes an obligation on the next of his kin to perform the same on his behalf, regardless whether or not he makes a will about it prior to his death. The same applies on other acts of worship like fasting, *Zakât* and *Salât*, etc.

[2] It becomes known to us that a man and a woman who are strangers to each other must not meet in loneliness. A woman may not undertake any travel whatsoever, regardless whether a long one or a short one, whether for religious purposes or out of necessity, except with her husband or a *Mahram*. A *Mahram* is a person to whom she is so closely related that marriage is not possible.

with her; and a woman must travel only when accompanied by a man who is a *Mahram*". A man stood up and said, "O Allâh's Messenger, my wife intends to go out to perform the *Hajj* (pilgrimage), and I have been enrolled for such and such expedition." Thereupon he said, "Go and perform the *Hajj* with your wife." [Agreed upon, and the version is of Muslim].

مَعَ ذِي مَحْرَمٍ»، فَقَامَ رَجُلٌ فَقَالَ: يَا رَسُولَ اللهِ! إِنَّ امْرَأَتِي خَرَجَتْ حَاجَّةً، وَإِنِّي اكْتُتِبْتُ فِي غَزْوَةِ كَذَا وَكَذَا، قَالَ: «انْطَلِقْ فَحُجَّ مَعَ امْرَأَتِكَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**588.** Narrated (Ibn 'Abbâs) رضي الله عنهما: The Prophet صلى الله عليه وسلم heard a man saying, "*Labbaika*[1] on behalf of Shubruma." He asked, "Who is Shubruma?" He replied, "A brother of mine," or "A relative of mine." He asked, "Have you performed the *Hajj* on your own behalf?" He replied, "No." Whereupon, he said, "Perform the *Hajj* on your own behalf, then perform it on behalf of Shubruma."[2] [Abû Dâ'ud and Ibn Mâjah reported it and Ibn Hibbân authenticated it. Ahmad established it to be *Mawqûf* (untraceable)].

(٥٨٨) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ سَمِعَ رَجُلاً يَقُولُ: لَبَّيْكَ عَنْ شُبْرُمَةَ، قَالَ: «مَنْ شُبْرُمَةُ»؟ قَالَ: أَخٌ لِي، أَوْ قَرِيبٌ لِي، قَالَ: «حَجَجْتَ عَنْ نَفْسِكَ»؟ قَالَ: لاَ، قَالَ: «حُجَّ عَنْ نَفْسِكَ، ثُمَّ حُجَّ عَنْ شُبْرُمَةَ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَالرَّاجِحُ عِنْدَ أَحْمَدَ وَقْفُهُ.

**589.** Narrated (Ibn 'Abbâs) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم addressed us and said, "Allâh has prescribed the *Hajj* (pilgrimage) to you." Al-Aqra' bin Hâbis[3] then got

(٥٨٩) وَعَنْهُ قَالَ: خَطَبَنَا رَسُولُ اللهِ ﷺ فَقَالَ: «إِنَّ اللهَ كَتَبَ عَلَيْكُمُ الْحَجَّ»، فَقَامَ الْأَقْرَعُ بْنُ حَابِسٍ، فَقَالَ: أَفِي كُلِّ عَامٍ يَا

[1] "I answer Your Call" or "I am at Your Service."

[2] This *Hadîth* tells us that so long as one has not performed his own obligatory *Hajj*, he is not permitted to perform it on someone else's behalf, irrespective of the fact whether or not he is strong enough (monetarily and physically) to perform his own pilgrimage. Majority of *Imâm* are of the same opinion.

[3] He was a Tamimi who was among the delegation of Banu Tamim that visited the Prophet صلى الله عليه وسلم after the conquest of Makka. He was one among the *Mu'allafati Qulûbuhum* (whose hearts were won for Islâm and so given some *Sadaqa* to keep them firm in the fold of the religion). He was a respectable man in the *Jahiliya*. He died during 'Umar's Caliphate.

رَسُولَ اللهِ؟ قَالَ: «لَوْ قُلْتُهَا لَوَجَبَتْ. الْحَجُّ مَرَّةٌ، فَمَا زَادَ فَهُوَ تَطَوُّعٌ». رَوَاهُ الْخَمْسَةُ غَيْرَ التِّرْمِذِيِّ، وَأَصْلُهُ فِي مُسْلِمٍ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ.

up and asked, "Is it to be performed annually, O Messenger of Allâh?" He replied, "If I were to tell you that it is, it would have become obligatory. The *Hajj* is (to be performed) once, and anything extra is voluntary." [Reported by *Al-Khamsa* except At-Tirmidhi and its origin is in the *Sahih* of Muslim from the *Hadith* of Abû Huraira (رضي الله عنه)].

## ٢ - بَابُ الْمَوَاقِيتِ

## Chapter 2 *MIQAT*

(٥٩٠) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ الْمَدِينَةِ ذَا الْحُلَيْفَةِ، وَلِأَهْلِ الشَّامِ الْجُحْفَةَ، وَلِأَهْلِ نَجْدٍ قَرْنَ الْمَنَازِلِ، وَلِأَهْلِ الْيَمَنِ يَلَمْلَمَ، هُنَّ لَهُنَّ، وَلِمَنْ أَتَى عَلَيْهِنَّ مِنْ غَيْرِهِنَّ، مِمَّنْ أَرَادَ الْحَجَّ وَالْعُمْرَةَ، وَمَنْ كَانَ دُونَ ذَلِكَ فَمِنْ حَيْثُ أَنْشَأَ، حَتَّى أَهْلُ مَكَّةَ مِنْ مَكَّةَ. مُتَّفَقٌ عَلَيْهِ.

**590.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم appointed the following places for putting on the *Ihrâm*[1]: Dhul Hulaifa[2] for the people of Al-Madîna, Al-Juhfa for the people of Syria, Qarn Al-Manazil for the people of Najd, and Yalamlam for the people of the Yemen; so these spots are for these regions and for people of other regions who come to them intending to perform *Hajj* and *'Umrah*. The place where those who live nearer to Makka should put on the *Ihrâm* is where they set out from, even the inhabitants of Makka (put on the *Ihrâm*) in it. [Agreed upon].

(٥٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى

**591.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم appointed Dhât

[1] The special clothes put on when intending to start the journey to perform *Hajj* or *'Umrah*.

[2] Dhul Hulaifa is a name of a place that lies 15 kilometers away from Al-Madîna. Najd lexically means "the elevated land" and the same specifies the expanse of land between Tihama and Iraq. Qarn-ul-Manazil is a place adjacent to Tâ'if which is now known as 'Sail'. Yalamlam is the name of a hill which lies at about two-day-journey from Yemen. These are the places specified for pilgrims to enter in their state of *Ihrâm*. The people (the pilgrims) who live outside the limits of the places specified herein, must enter in their state of *Ihrâm* at these points, and the ones living within the limits of the region fringed by the said points, may enter in their state of *Ihrâm* from their respective places of residence. It is not necessary for them to go all the way to *Miqât* (the said points) to put their *Ihrâm* there.

'Irq[1] as the place where the people of 'Irâq should put on the *Ihrâm*. [Reported by Abû Dâ'ud and An-Nasâ'i]. And its original *Hadîth* of Jâbir (رضي الله عنه) is found in *Muslim*. But its narrator doubted whether it is *Marfû'* (traceable).

Narrated in *Sahih Al-Bukhâri*: "It is 'Umar who appointed Dhât 'Irq."

Ahmad, Abû Dâ'ud and At-Tirmidhi reported this from Ibn 'Abbâs (رضي الله عنهما): "The Prophet صلى الله عليه وسلم appointed Al-'Aqîq[2] as the place where the people of the east should put on the *Ihrâm*."

عَنْهَا أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ الْعِرَاقِ ذَاتَ عِرْقٍ. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ مِنْ حَدِيثِ جَابِرٍ، إِلَّا أَنَّ رَاوِيَهُ شَكَّ فِي رَفْعِهِ.

وَفِي صَحِيحِ الْبُخَارِيِّ: أَنَّ عُمَرَ هُوَ الَّذِي وَقَّتَ ذَاتَ عِرْقٍ.

وَعِنْدَ أَحْمَدَ وَأَبِي دَاوُدَ وَالتِّرْمِذِيِّ عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ ﷺ وَقَّتَ لِأَهْلِ الْمَشْرِقِ الْعَقِيقَ.

## Chapter 3
## THE MANNERS AND NATURE OF THE *IHRAM*

## ٣ - بَابُ وُجُوهِ الإِحْرَامِ وَصِفَتِهِ

**592.** Narrated 'Aisha رضي الله عنها: We went out with Allâh's Messenger صلى الله عليه وسلم in the year of the Farewell Pilgrimage[3] while some of us said the *Talbîya* (intention) for a '*Umrah*, some for *Hajj* and '*Umrah*, and others for the *Hajj* (alone). But Allâh's Messenger صلى الله عليه وسلم said the

(٥٩٢) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ عَامَ حَجَّةِ الْوَدَاعِ، فَمِنَّا مَنْ أَهَلَّ بِعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ وَعُمْرَةٍ، وَمِنَّا مَنْ أَهَلَّ بِحَجٍّ، وَأَهَلَّ رَسُولُ اللَّهِ ﷺ بِالْحَجِّ، فَأَمَّا مَنْ أَهَلَّ بِعُمْرَةٍ

---

[1] The fact is that Dhat-'Irq was particularised and promulgated as a *Miqât* for the pilgrims coming from Iraq by the Prophet صلى الله عليه وسلم himself as the decision in regard to this matter was taken during *Hajjat-ul-Wada'* (the last *Hajj* performed by the Prophet صلى الله عليه وسلم). It is reported by Bukhâri that 'Umar رضي الله عنه had particularised Dhat 'Irq as *Miqât*, whereas the fact is that 'Umar رضي الله عنه merely made a re-announcement about it.

[2] Al-Aqîq is the name of a place which lies adjacent to Dhat-'Irq.

[3] *Hajj* is of three kinds, namely *Ifrâd*, *Tamattu'* and *Qirân*. In *Ifrâd*, a pilgrim enters in the state of *Ihrâm* with the intention of performing *Hajj* only. While performing *Tamattu'*, a pilgrim enters in the state of *Ihrâm* at the point of *Miqât* with the intention of performing '*Umrah* and then performs *Tawâf* and *Sa'y*. In case he has brought a sacrificial animal with him, he should not go out of his *Ihrâm*, if not, he should go out of his *Ihrâm* then. With the commencement of *Hajj* days, he must enter in the state of *Ihrâm* again and perform *Hajj*. In *Qirân*, a pilgrim enters in the state of *Ihrâm* with the intention of performing '*Umrah* and *Hajj* altogether. The residents of Makka are not allowed to perform *Tamattu'* and *Qirân*.

فَحَلَّ عِنْدَ قُدُومِهِ، وَأَمَّا مَنْ أَهَلَّ بِحَجٍّ، أَوْ جَمَعَ بَيْنَ الْحَجِّ وَالْعُمْرَةِ، فَلَمْ يَحِلُّوا حَتَّى كَانَ يَوْمُ النَّحْرِ. مُتَّفَقٌ عَلَيْهِ.

*Talbîya* for the *Hajj*. Those who did it for a '*Umrah*, took off the *Ihrâm*; but those who did it for the *Hajj* or who combined the *Hajj* and the '*Umrah* did not remove the *Ihrâm* till *Yaum An-Nahr*[1] [Agreed upon].

## ٤ - بَابُ الإِحْرَامِ وَمَا يَتَعَلَّقُ بِهِ.

## Chapter 4 THE *IHRAM* AND ITS RELATED ACTIVITIES

(٥٩٣) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا أَهَلَّ رَسُولُ اللهِ ﷺ إِلاَّ مِنْ عِنْدِ الْمَسْجِدِ. مُتَّفَقٌ عَلَيْهِ.

**593.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم never raised his voice in the *Talbîya* except from the mosque (of Dhul Hulaifa).[2] [Agreed upon].

(٥٩٤) وَعَنْ خَلاَّدِ بْنِ السَّائِبِ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَتَانِي جِبْرِيلُ، فَأَمَرَنِي أَنْ آمُرَ أَصْحَابِي، أَنْ يَرْفَعُوا أَصْوَاتَهُمْ بِالإِهْلاَلِ». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**594.** Narrated Khallâd[3] bin As-Sâib on his father's[4] authority رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Jibrael (Gabriel) came to me and commanded me to order my Companions to raise their voices[5] in the *Talbîya*[6]." [Reported by *Al-Khamsa*; At-Tirmidhi and Ibn Hibbân authenticated it].

---

[1] The day of slaughtering the sacrificial animals i.e, the 10th of Dhul-Hijja.

[2] This *Hadîth* clarifies that the Prophet صلى الله عليه وسلم entered in the state of *Ihrâm* either at Baida or near a tree. We are further informed that the entering in the state of *Ihrâm* before approaching *Miqât* is prohibited. This negates the view of those who deem the act of entering in *Ihrâm* beforehand as correct.

[3] Khallâd bin As-Sâib bin Khallâd bin Suwaid Al-Ansâri Al-Khazraji is a reliable *Tabi'i* of the third generation.

[4] He is a *Sahâbi* nicknamed Abû Sahla. He attended Badr and became Mu'âwiya's governor in Yemen. It is also said that 'Umar assigned him to Yemen. He died in 71 H.

[5] This *Hadîth* tells us that it is compulsory to pronounce *Talbîya* in a loud voice. Regarding women, there is a difference of opinions among scholars whether they should pronounce the same with a loud voice or a subdued one. The *Hadîth* advocates the general view that pronouncing the same in a loud voice is preferable.

[6] The act of saying "*Labbaik Allâhumma Labbaik*, etc." (At Your Service O Allâh, at Your Service) during *Hajj*.

**595.** Narrated Zaid bin Thâbit رضي الله عنه: The Prophet صلى الله عليه وسلم stripped to put on his *Ihrâm* and bathed.[1] [At-Tirmidhi reported and graded it *Hasan*].

(٥٩٥) وَعَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ تَجَرَّدَ لِإِهْلَالِهِ، وَاغْتَسَلَ. رَوَاهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

**596.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم was asked what clothing one, who is on pilgrimage, should wear.[2] He said, "He should not wear a shirt, a turban, trousers, a garment with head coverings or shoes, unless one cannot get sandals and wear shoes, in which case he must cut them below the ankles, and you must not wear clothing which has any dye of saffron or *Wars*.[3] [Agreed upon, and this version is that of Muslim].

(٥٩٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللَّهِ سُئِلَ مَا يَلْبَسُ الْمُحْرِمُ مِنَ الثِّيَابِ؟ قَالَ: «لاَ يَلْبَسُ الْقَمِيصَ، وَلاَ الْعَمَائِمَ، وَلاَ السَّرَاوِيلاَتِ، وَلاَ الْبَرَانِسَ، وَلاَ الْخِفَافَ، إِلاَّ أَحَدٌ لاَ يَجِدُ نَعْلَيْنِ فَلْيَلْبَسِ الْخُفَّيْنِ، وَلْيَقْطَعْهُمَا أَسْفَلَ مِنَ الْكَعْبَيْنِ، وَلاَ تَلْبَسُوا شَيْئاً مِنَ الثِّيَابِ مَسَّهُ الزَّعْفَرَانُ، وَلاَ الْوَرْسُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**597.** Narrated 'Aisha رضي الله عنها: I used to perfume[4] Allâh's Messenger صلى الله عليه وسلم for his *Ihrâm*[5] before he put on the *Ihrâm*, and when he put off the *Ihrâm*, before he circumambulated the Sacred House (Ka'ba). [Agreed upon].

(٥٩٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كُنْتُ أُطَيِّبُ رَسُولَ اللَّهِ ﷺ لِإِحْرَامِهِ قَبْلَ أَنْ يُحْرِمَ، وَلِحِلِّهِ قَبْلَ أَنْ يَطُوفَ بِالْبَيْتِ. مُتَّفَقٌ عَلَيْهِ.

**598.** Narrated 'Uthmân bin 'Affân رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "One who is in the state of

(٥٩٨) وَعَنْ عُثْمَانَ بْنِ عَفَّانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لاَ

[1] This *Hadith* tells us that the act of taking a bath for entering in the state of *Ihrâm* is *Sunna* (supererogatory).

[2] Once all these garments are discarded, the only clothes left over are the two sheets and these two very sheets constitute the cloths of *Ihrâm*. A woman may cover her head by a head-dress but may not cover her face with a veil.

[3] A yellow coloured perfume.

[4] It thus becomes known to us through this *Hadith* that a perfume may be applied onto one's body prior to entering in the state of *Ihrâm* and it does not matter if one's body keeps exuding the fragrance even after entering into the *Ihrâm* state. Similarly, it is also permissible to apply perfume onto one's body before performing *Tawâf-ul-Wada'* (farewell circumambulation of Ka'ba).

[5] The state of intending to perform *Hajj* or *'Umrah*.

يَنكِحُ الْمُحْرِمُ، وَلاَ يُنكِحُ، وَلاَ يَخْطُبُ». رَوَاهُ مُسْلِمٌ.

*Ihrâm* should not marry, or give someone in marriage[1], or make a proposal." [Reported by Muslim].

(٥٩٩) وَعَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ صَيْدِهِ الْحِمَارَ الْوَحْشِيَّ وَهُوَ غَيْرُ مُحْرِمٍ - قَالَ: فَقَالَ رَسُولُ اللهِ ﷺ لأَصْحَابِهِ - وَكَانُوا مُحْرِمِينَ -: هَلْ مِنْكُمْ أَحَدٌ أَمَرَهُ، أَوْ أَشَارَ إِلَيْهِ بِشَيْءٍ؟ قَالُوا: لاَ، قَالَ: «فَكُلُوا مَا بَقِيَ مِنْ لَحْمِهِ». مُتَّفَقٌ عَلَيْهِ.

**599.** Narrated Abû Qatâda Al-Ansâri رضي الله عنه regarding the story when he hunted a zebra and was not in the state of *Ihrâm*: Allâh's Messenger صلى الله عليه وسلم asked his companions who were in the state of *Ihrâm*, "Did any one of you order or suggest anything to him (regarding the hunting)." They replied, "No." He said, "Eat its remaining meat."[2] [Agreed upon].

(٦٠٠) وَعَنِ الصَّعْبِ بْنِ جَثَّامَةَ اللَّيْثِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ أَهْدَى لِرَسُولِ اللهِ ﷺ حِمَاراً وَحْشِيّاً، وَهُوَ بِالأَبْوَاءِ أَوْ بِوَدَّانَ، فَرَدَّهُ عَلَيْهِ، وَقَالَ: «إِنَّا لَمْ نَرُدَّهُ عَلَيْكَ إِلاَّ أَنَّا حُرُمٌ». مُتَّفَقٌ عَلَيْهِ.

**600.** Narrated As-Sa'b bin Jaththâma Al-Laithi[3] رضي الله عنه: He presented to Allâh's Messenger صلى الله عليه وسلم a zebra's (flesh)[4] when he was at Al-Abwâ' or Waddân, but he rejected it and said, "We rejected it only because we are in the state of *Ihrâm*." [Agreed upon].

(٦٠١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: خَمْسٌ مِنَ الدَّوَابِّ كُلُّهُنَّ فَوَاسِقُ، يُقْتَلْنَ فِي الْحِلِّ وَالْحَرَمِ: الْعَقْرَبُ، وَالْحِدَأَةُ، وَالْغُرَابُ،

**601.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "There are five living things which are all noxious and may be killed outside or inside the sacred areas: a

[1] A person in the state of *Ihrâm* should not conduct a wedding of either a man or a woman or his own self or on the authority of someone else.

[2] This incident belongs to the year of Al-Hudaibiya Treaty. In case a *Halal* person (the one not in *Ihrâm* state) hunts an animal with the intention of presenting it to a *Muhrim*, or *Muhrim* in anyway assisted by himself in hunting, the meat of the game thus hunted becomes prohibited for him. It is only allowed for him if the animal is hunted for *Halal* person, unaided and purely out of the will of *Muhrim*.

[3] Sa'b bin Jaththâma Al-Laithi used to live at Waddân and Al-Abwâ' and his *Hadîth* has been narrated by the people of Al-Hijaz. He died either during the caliphate of Abû Bakr or that of 'Uthmân.

[4] This *Hadîth* tells us that the Prophet صلى الله عليه وسلم did not eat the meat of the hunted animal in the state of *Ihrâm* due to the fact that Sa'b bin Jaththâma رضي الله عنه did the hunting with the intention of presenting it to the Prophet صلى الله عليه وسلم.

scorpion, a kite, a crow, a rat, and a biting dog."[1] [Agreed upon].

وَالْفَأْرَةُ، وَالْكَلْبُ الْعَقُورُ». مُتَّفَقٌ عَلَيْهِ.

**602.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم had himself cupped when he was in the state of *Ihrâm*. [Agreed upon].

(٦٠٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ احْتَجَمَ وَهُوَ مُحْرِمٌ. مُتَّفَقٌ عَلَيْهِ.

**603.** Narrated Ka'b bin 'Ujra[2] رضي الله عنه: I was carried to Allâh's Messenger صلى الله عليه وسلم and lice were falling over my face. He said, "I did not think that the pain has affected you as I see (now), can you sacrifice a sheep?" I replied, "No." He then said, "Fast three days or feed six poor people a half *Sâ'*[3] each." [Agreed upon].

(٦٠٣) وَعَنْ كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: حُمِلْتُ إِلَى رَسُولِ اللهِ ﷺ وَالْقَمْلُ يَتَنَاثَرُ عَلَى وَجْهِي، فَقَالَ: «مَا كُنْتُ أُرَى الْوَجَعَ بَلَغَ بِكَ مَا أَرَى، أَتَجِدُ شَاةً؟» قُلْتُ: لَا، قَالَ: «فَصُمْ ثَلَاثَةَ أَيَّامٍ، أَوْ أَطْعِمْ سِتَّةَ مَسَاكِينَ، لِكُلِّ مِسْكِينٍ نِصْفُ صَاعٍ». مُتَّفَقٌ عَلَيْهِ.

**604.** Narrated Abû Huraira رضي الله عنه: When Allâh the Most High granted His Messenger (صلى الله عليه وسلم) victory by the conquest of Makka, Allâh's Messenger صلى الله عليه وسلم stood up and addressed the people. So, he praised Allâh and extolled Him; and then said, "Allâh had withheld the

(٦٠٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِهِ مَكَّةَ، قَامَ رَسُولُ اللهِ ﷺ فِي النَّاسِ، فَحَمِدَ اللَّهَ، وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «إِنَّ اللَّهَ تَعَالَى حَبَسَ عَنْ مَكَّةَ الْفِيلَ، وَسَلَّطَ عَلَيْهَا رَسُولَهُ

---

[1] The killing of these five animals even within the precincts of the Sacred Mosque is not a crime. Similarly, if someone kills the said animals in the state of *Ihrâm* and within the precincts of the Sacred Mosque, he incurs no penalty (in terms of offering an animal sacrifice or charity). By inferring from this precedence, some scholars have permitted the killing of all *Harâm* animals (the animals, the meat of whom is forbidden to be eaten in Islâm) and have specified no penalty on their killing. In case a *Muhrim* kills a beast after being attacked by it, he incurs no penalty.

[2] He was an eminent *Sahâbi* from the tribe of Al-Bali and was an ally of the *Ansâr*. He settled at Kufa and died at Al-Madîna in 51 H. at the age of 75 years.

[3] This informs us that a *Muhrim* will be liable to pay *Fidya* even if he shaves off his head out of an excuse. *Fidya* is of three kinds: a) He should make an animal sacrifice, b) Observe three-day fasting, c) Feed six poor people — or giving away 1 kilogram of grain as a charity per person. In case he can offer a sacrifice, it is not permissible for him to offer the latter two *Fidya*. If he does not have sufficient funds to offer a sacrifice, he has either of the two options, that is, either he may observe fast or feed the poor.

Elephant[1] from Makka and empowered His Messenger and the believers over it. Fighting in it has not been made lawful to anyone before me, but it has been made lawful for me only during one hour of a day, and it will not be lawful to anyone after me. Its game is not to be molested, its thorns are not to be cut, anything which falls in it is lawful only to one who announces[2] it, and if anyone's person is killed (in it), he will have the choice of the best of the two options"[3]. Al-'Abbâs said, "Except the (tree called) *Al-Idhkhir*, O Messenger of Allâh, because we use it in our graves and houses." He said, "Except *Al-Idhkhir*."[4] [Agreed upon].

وَالْمُؤْمِنِينَ، وَإِنَّهَا لَمْ تَحِلَّ لِأَحَدٍ كَانَ قَبْلِي، وَإِنَّمَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ، وَإِنَّهَا لَنْ تَحِلَّ لِأَحَدٍ بَعْدِي، فَلَا يُنَفَّرُ صَيْدُهَا، وَلَا يُخْتَلَى شَوْكُهَا، وَلَا يَحِلُّ سَاقِطَتُهَا إِلَّا لِمُنْشِدٍ. وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ»، فَقَالَ الْعَبَّاسُ: إِلَّا الْإِذْخِرَ، يَا رَسُولَ اللهِ! فَإِنَّا نَجْعَلُهُ فِي قُبُورِنَا وَبُيُوتِنَا، فَقَالَ: «إِلَّا الْإِذْخِرَ». مُتَّفَقٌ عَلَيْهِ.

**605.** Narrated 'Abdullâh bin Zaid bin 'Asim رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Ibrâhim declared Makka sacred[5] and made supplication for its people; and I declare Al-Madîna to be sacred as

(٦٠٥) وَعَنْ عَبْدِ اللهِ بْنِ زَيْدِ بْنِ عَاصِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ، وَدَعَا لِأَهْلِهَا، وَإِنِّي حَرَّمْتُ الْمَدِينَةَ، كَمَا حَرَّمَ

---

[1] This tale has been mentioned in the noble Qur'ân. It is stated that Abraha Al-Athram, the Christian king of Yemen attacked Makka with a contingent of elephants with the intention of pulling down Ka'ba. The Quraishites could not encounter him, vacated Makka and fled away. Allâh sent against them birds in flocks who had small pebbles in their beaks and talons. Whosoever was struck by these pebbles, through the torment sent by Allâh, got perished. Abraha, along with his thundering legions was utterly doomed to devastation and thus Allâh the Exalted One saved His House from destruction.

[2] It means that if someone picks up a fallen object with the intention of taking it himself, it is forbidden. However, if he picks it up with the intention of making an announcement and restoring the same to it's rightful owner, the same is permitted.

[3] i.e., a person has two options. Either he may accept *Diya* (the blood-money or he may choose to retaliate by life taking *Qisâs*.

[4] *Idhkhir* is a kind of grass which is used in the process of melting of the metals. The same is laid down on the roofs and floors of houses and is used in spreading in the graves also.

[5] The Prophet Ibrâhim عليه السلام pronounced Makka a sanctified place and prayed for it's sustenance and livelihood. Similarly, Prophet Muhammad صلى الله عليه وسلم pronounced the sanctity of Al-Madîna and prayed for the sustenance and livelihood of its residents.

إِبْرَاهِيمُ مَكَّةَ، وَإِنِّي دَعَوْتُ فِي صَاعِهَا وَمُدِّهَا بِمِثْلِ مَا دَعَا بِهِ إِبْرَاهِيمُ لِأَهْلِ مَكَّةَ». مُتَّفَقٌ عَلَيْهِ.

Ibrâhim declared Makka sacred, and I make supplication for its *Sâ'* and *Mudd* (its measures to be blessed) twice as much as Ibrâhim made supplication for the people of Makka." [Agreed upon].

(٦٠٦) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمَدِينَةُ حَرَامٌ مَا بَيْنَ عَيْرٍ إِلَى ثَوْرٍ». رَوَاهُ مُسْلِمٌ.

**606.** Narrated 'Ali bin Abû Tâlib رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Al-Madîna is sacred from 'Air to Thaur[1]." [Reported by Muslim].

## ٥ - بَابُ صِفَةِ الْحَجِّ وَدُخُولِ مَكَّةَ

## Chapter 5 THE NATURE OF THE *HAJJ* (PILGRIMAGE) AND ENTERING MAKKA

(٦٠٧) عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللَّهِ ﷺ حَجَّ، فَخَرَجْنَا مَعَهُ، حَتَّى إِذَا أَتَيْنَا ذَا الْحُلَيْفَةِ فَوَلَدَتْ أَسْمَاءُ بِنْتُ عُمَيْسٍ، فَقَالَ: «اغْتَسِلِي، وَاسْتَثْفِرِي بِثَوْبٍ، وَأَحْرِمِي»، وَصَلَّى رَسُولُ اللَّهِ ﷺ فِي الْمَسْجِدِ، ثُمَّ رَكِبَ الْقَصْوَاءَ، حَتَّى إِذَا اسْتَوَتْ بِهِ عَلَى الْبَيْدَاءِ، أَهَلَّ بِالتَّوْحِيدِ: «لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، لَا شَرِيكَ لَكَ، لَبَّيْكَ، إِنَّ الْحَمْدَ وَالنِّعْمَةَ لَكَ وَالْمُلْكَ،

**607.** Narrated Jâbir bin 'Abdullâh رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم performed the *Hajj* (pilgrimage) and we went out with him. When we reached Dhul Hulaifa, Asmâ' رضى الله عنها daughter of 'Umais, gave birth, so Allâh's Messenger صلى الله عليه وسلم said, "Take a bath, bandage your private parts with a cloth, and put on the *Ihrâm*." Allâh's Messenger صلى الله عليه وسلم prayed in the mosque, and then mounted Al-Qaswâ[2] and when it stood erect with him on its back at Al-Baidâ'[3], he raised his voice

[1] 'Air عير and Thaur ثور are two mountains surrounding Al-Madîna. 'Air is a well-known mountain south of Al-Madîna and south west of Qubâ' Mosque. Some people have a misunderstanding to the effect that the mount of Thaur belongs to Makka, and may be the narrator mistook the same for some other mount. But the fact is that this view of theirs is erroneous. There is a mountain in Al-Madîna too, small and round shaped, situated in the north beyond the Uhud mountain which is also known as Thaur.

[2] The name of the Prophet's she camel.

[3] Baida stands for either forest or plains and there was a village also known as Baida. As mentioned earlier, the Prophet صلى الله عليه وسلم started reciting *Talbîya* from the mosque. This one states that he began the same in Baida. The fact is that the first statement is correct. As the narrator saw the Prophet صلى الله عليه وسلم reciting *Talbîya* in Baida, he concluded that the Prophet صلى الله عليه وسلم had started reciting it beginning from Baida itself whereas the fact is that he (the Prophet صلى الله عليه وسلم) had already been reciting it (even prior to reaching Baida).

declaring Allâh's Oneness and saying, "I am at Your Service, O Allâh, at Your Service; You have no partner; at Your Service; praise and grace are Yours, and the dominion; You have no partner." When we came to the House[1] he touched the corner[2], and ran three (times round the House)[3] and walked four (times round the House). Then he came to the place of Ibrâhim and prayed. He then returned to the corner and touched it, after which he went out by the gate to As-Safa, on coming near to which he recited, "As-Safa and Al-Marwa are among the signs appointed by Allâh[4]," adding: "I begin with what Allâh began with." So he mounted As-Safa till he saw the House, then he faced the *Qiblah*, declared Allâh's Oneness, proclaimed His Greatness, and said, "There is no God but Allâh Alone Who has no partner; to Him belongs the dominion, to Him praise is due, and He is Omnipotent; there is no God but Allâh Alone Who Alone has fulfilled His Promise, helped His slave and vanquished the Confederates." He then made supplication in the course of that, saying such words three

لَا شَرِيكَ لَكَ»، حَتَّى إِذَا أَتَيْنَا الْبَيْتَ اسْتَلَمَ الرُّكْنَ، فَرَمَلَ ثَلَاثًا، وَمَشَى أَرْبَعاً، ثُمَّ أَتَى مَقَامَ إِبْرَاهِيمَ فَصَلَّى، ثُمَّ رَجَعَ إِلَى الرُّكْنِ، فَاسْتَلَمَهُ، ثُمَّ خَرَجَ مِنَ الْبَابِ إِلَى الصَّفَا، فَلَمَّا دَنَا مِنَ الصَّفَا، قَرَأَ ﴿إِنَّ الصَّفَا وَالْمَرْوَةَ مِنْ شَعَائِرِ اللَّهِ﴾ «أَبْدَأُ بِمَا بَدَأَ اللَّهُ بِهِ»، فَرَقِيَ الصَّفَا حَتَّى رَأَى الْبَيْتَ، فَاسْتَقْبَلَ الْقِبْلَةَ، فَوَحَّدَ اللَّهَ، وَكَبَّرَهُ، وَقَالَ: «لَا إِلَهَ إِلَّا اللَّهُ، وَحْدَهُ، لَا شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، لَا إِلَهَ إِلَّا اللَّهُ، أَنْجَزَ وَعْدَهُ، وَنَصَرَ عَبْدَهُ، وَهَزَمَ الْأَحْزَابَ وَحْدَهُ»، ثُمَّ دَعَا بَيْنَ ذَلِكَ قَالَ مِثْلَ هَذَا ثَلَاثَ مَرَّاتٍ، ثُمَّ نَزَلَ مِنَ الصَّفَا إِلَى الْمَرْوَةِ، حَتَّى إِذَا انْصَبَّتْ قَدَمَاهُ فِي بَطْنِ الْوَادِي سَعَى، حَتَّى إِذَا صَعِدَ مَشَى إِلَى الْمَرْوَةِ، فَفَعَلَ عَلَى الْمَرْوَةِ كَمَا فَعَلَ عَلَى الصَّفَا، فَذَكَرَ الْحَدِيثَ، وَفِيهِ: فَلَمَّا كَانَ يَوْمُ التَّرْوِيَةِ تَوَجَّهُوا إِلَى مِنًى، وَرَكِبَ النَّبِيُّ ﷺ، فَصَلَّى بِهَا الظُّهْرَ وَالْعَصْرَ وَالْمَغْرِبَ وَالْعِشَاءَ وَالْفَجْرَ، ثُمَّ مَكَثَ قَلِيلًا حَتَّى طَلَعَتْ

[1] The Ka'ba

[2] In Arabic, *Rukn* stands for *Al-Hajar Al-Aswad* (the Black Stone) and *Istalâm* implies kissing or touching.

[3] When the Prophet ﷺ arrived in Makka along with his Companions to perform *'Umrat-ul-Qada'* the Quraishites started casting aspersions on Muslims by saying that the Muslims have become emaciated and grown weak as some kind of fever had seized them in Al-Madîna. Upon hearing these slurs the Prophet ﷺ commanded his Companions to walk along with an ostentatious dignity and pride, as the wrestlers do such, to demonstrate to the Quraishites that we are not weak. Since that day onwards, the act of walking in this fashion in first three rounds of circumambulation (*Tawâf*) has become a *Sunna* (supererogatory act).

[4] *Al-Baqarah*, Verse No. 158.

times. He next descended from As-Safa to Al-Marwa, and when he came down into the bottom of the valley, he ran; and when he began to ascend, he walked till he reached Al-Marwa. There he did as he had done at As-Safa - the narrator reported the rest of the *Hadîth* — and it contains: When it was *Yaum At-Tarwiya*[1] they came towards Minâ[2], and the Prophet صلى الله عليه وسلم rode and prayed there *Az-Zuhr, Al-'Asr, Al-Maghrib, Al-'Ishâ'* and *Al-Fajr* prayers. After that he waited a little till the sun rose; then he proceeded till he came to 'Arafa and found that the tent had been set up for him at Namira[3]. There he dismounted, and when the sun had passed the meridian, he ordered Al-Qaswâ' to be brought; and when it was saddled for him, he went down into the valley and addressed the people. He then ordered the *Adhân* then the *Iqâma* to be uttered, and he prayed *Az-Zuhr* prayer; he then ordered the *Iqâma* to be uttered and prayed *Al-'Asr* prayer, engaging in no prayer between the two. He then mounted (his camel) and came to the place of standing, making his she-camel Al-Qaswâ' turn its back to the rocks[4] and having the path taken by

الشَّمْسُ، فَأَجَازَ حَتَّى أَتَى عَرَفَةَ، فَوَجَدَ الْقُبَّةَ قَدْ ضُرِبَتْ لَهُ بِنَمِرَةَ، فَنَزَلَ بِهَا، حَتَّى إِذَا زَالَتِ الشَّمْسُ أَمَرَ بِالْقَصْوَاءِ فَرُحِلَتْ لَهُ، فَأَتَى بَطْنَ الْوَادِي، فَخَطَبَ النَّاسَ، ثُمَّ أَذَّنَ، ثُمَّ أَقَامَ، فَصَلَّى الظُّهْرَ، ثُمَّ أَقَامَ فَصَلَّى الْعَصْرَ، وَلَمْ يُصَلِّ بَيْنَهُمَا شَيْئًا، ثُمَّ رَكِبَ حَتَّى أَتَى الْمَوْقِفَ، فَجَعَلَ بَطْنَ نَاقَتِهِ الْقَصْوَاءِ إِلَى الصَّخَرَاتِ، وَجَعَلَ جَبَلَ الْمُشَاةِ بَيْنَ يَدَيْهِ، وَاسْتَقْبَلَ الْقِبْلَةَ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى غَرَبَتِ الشَّمْسُ، وَذَهَبَتِ الصُّفْرَةُ قَلِيلًا، حَتَّى إِذَا غَابَ الْقُرْصُ دَفَعَ، وَقَدْ شَنَقَ لِلْقَصْوَاءِ الزِّمَامَ، حَتَّى إِنَّ رَأْسَهَا لَيُصِيبُ مَورِكَ رَحْلِهِ، وَيَقُولُ بِيَدِهِ الْيُمْنَى: «**يَا أَيُّهَا النَّاسُ! اَلسَّكِينَةَ، اَلسَّكِينَةَ**»، وَكُلَّمَا أَتَى جَبَلًا أَرْخَى لَهَا قَلِيلًا حَتَّى تَصْعَدَ، حَتَّى أَتَى الْمُزْدَلِفَةَ، فَصَلَّى بِهَا الْمَغْرِبَ وَالْعِشَاءَ، بِأَذَانٍ وَاحِدٍ وَإِقَامَتَيْنِ، وَلَمْ يُسَبِّحْ بَيْنَهُمَا شَيْئًا، ثُمَّ اضْطَجَعَ حَتَّى طَلَعَ الْفَجْرُ، فَصَلَّى الْفَجْرَ حِينَ تَبَيَّنَ لَهُ الصُّبْحُ، بِأَذَانٍ وَإِقَامَةٍ، ثُمَّ رَكِبَ حَتَّى أَتَى الْمَشْعَرَ الْحَرَامَ، فَاسْتَقْبَلَ الْقِبْلَةَ، فَدَعَا، وَكَبَّرَ، وَهَلَّلَ، فَلَمْ يَزَلْ وَاقِفًا حَتَّى أَسْفَرَ جِدًّا، فَدَفَعَ قَبْلَ أَنْ

[1] The 8th day of the month of Dhul-Hijja when the pilgrims leave Makka for Mina.

[2] The literal translation of 'Mina' is 'to fell, to drop'. Since the blood of sacrificial animals is shed here, it has come to be known as Mina.

[3] A well-known spot just before 'Arafât where there is now a big mosque by that name.

[4] In Arabic, *As-Sakharât* (الصخرات) simply mean stones. Here these imply the ones that are scattered underneath the Mount of Mercy (جبل الرحمة). This is the very place where the Prophet صلى الله عليه وسلم stayed. The act of staying here is supererogatory and desirable.

those who went on foot[1] in front of him. He faced the *Qiblah* and remained standing till sunset when the yellow light had somewhat gone and the disc of the sun had disappeared. He went quickly pulling the halter of Al-Qaswâ' forcefully, so that its head was about to touch the foreside of his saddle, gesturing with his right hand and saying, "You people, be tranquil, be tranquil," and whenever he happened to pass over an elevated tract of sand, he slightly loosened the halter so that it should climb up. When he came to Al-Muzdalifa, he prayed *Al-Maghrib* and *Al-'Ishâ'* prayers with one *Adhân* and two *Iqâma*[2] without saying the glorification of Allâh between them.[3] He then lay down till dawn and prayed *Al-Fajr* with an *Adhân* and an *Iqâma* when the morning light was clear. He then mounted till he came to Al-Mash'ar Al-Harâm[4], he faced the *Qiblah*, supplicated Allâh, declared His Greatness and His Oneness, and kept standing till the day light was very clear. He then went quickly before the sun rose till he came to the valley of Muhassar[5].

تَطْلُعَ الشَّمْسُ، حَتَّى أَتَى بَطْنَ مُحَسِّرٍ، فَحَرَّكَ قَلِيلاً، ثُمَّ سَلَكَ الطَّرِيقَ الْوُسْطَى الَّتِي تَخْرُجُ عَلَى الْجَمْرَةِ الْكُبْرَى، حَتَّى أَتَى الْجَمْرَةَ الَّتِي عِنْدَ الشَّجَرَةِ، فَرَمَاهَا بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ مَعَ كُلِّ حَصَاةٍ مِّنْهَا، كُلُّ حَصَاةٍ مِثْلِ حَصَى الْخَذْفِ، رَمَى مِن بَطْنِ الْوَادِي، ثُمَّ انْصَرَفَ إِلَى الْمَنْحَرِ، فَنَحَرَ، ثُمَّ رَكِبَ رَسُولُ اللهِ ﷺ فَأَفَاضَ إِلَى الْبَيْتِ، فَصَلَّى بِمَكَّةَ الظُّهْرَ. رَوَاهُ مُسْلِمٌ مُطَوَّلاً.

[1] *Habl-ul-Mushât* (حبل المشاة): The region between the Namira Mosque and the Mount of Mercy (جبل الرحمة). The pilgrims had to traverse this region by walking on the sand.

[2] This *Hadith* clarifies that whenever the two prayers are joined, one *Adhân* (call to the prayer) suffices them both. However *Iqâma* for both of the prayers must be different and pronounced separately for each one of them.

[3] It becomes known to us that whenever the two prayers are offered consecutively one after another, one should not offer any *Sunna* (supererogatory prayer) or *Nafl* (voluntary prayer) in between them.

[4] The open space which lies between the two hills of Muzdalifa is known as Mash'ar-Al-Harâm.

[5] It is situated between Al-Muzdalifa and Mina.

He urged the camel a little and following the middle road[1] which comes out at the big *Jamra*[2], he came to the *Jamra* which is beside the tree. At this he threw seven small pebbles, uttering the *Takbîr* each time he threw a pebble, and each pebble was as small as a date-stone. He threw them from the bottom of the valley, then went to the place of sacrifice and sacrificed. After that Allâh's Messenger صلى الله عليه وسلم mounted, and going quickly to the House, prayed *Az-Zuhr* prayer in Makka. [Reported by Muslim through a long *Hadîth*].

**608.** Narrated Khuzaima bin Thabit[3] رضي الله عنه: Whenever the Prophet صلى الله عليه وسلم finished his *Talbiya* at a *Hajj* or an '*Umrah*, he asked Allâh for His good pleasure and for Paradise, and sought refuge in His Mercy from Hell.[4] [Ash-Shafi'î reported it through a weak chain of narrators].

(٦٠٨) وَعَنْ خُزَيْمَةَ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا فَرَغَ مِنْ تَلْبِيَتِهِ فِي حَجٍّ أَوْ عُمْرَةٍ سَأَلَ اللَّهَ رِضْوَانَهُ وَالْجَنَّةَ، وَاسْتَعَاذَ بِرَحْمَتِهِ مِنَ النَّارِ. رَوَاهُ الشَّافِعِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**609.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "I have

(٦٠٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ

[1] The pilgrims are instructed to traverse this valley at a great speed and at their earliest, regardless whether a pilgrim happens to be a pedestrian or aboard a mode of transport. There are two reasons justifying it:

a) The Companions of Elephants were doomed to the Divine perdition here and hence one must pass through this place tearfully and rapidly.

b) While performing *Hajj*, polytheists used to stay here and the Prophet صلى الله عليه وسلم intended to defy them in this act of theirs.

[2] *Jamra* means 'a heap of stones'. There are three *Jamarât* and it is necessary to throw pebbles at them. The *Jamra* which is referred to here, is *Jamrat-al-'Aqaba*. It is *Mustahab* (desirable) to pick up seven pebbles from Muzdalifa to throw at *Jamrat-al-'Aqaba*.

[3] Ibn Al-Fakiha Al-Khatami Al-Ansâri Al-Ausi. He was nicknamed Abû 'Imarata. He witnessed Badr and the subsequent battles. He held the flag of Khatama during the conquest of Makka and took part in the battle of Siffin with 'Ali and got killed in it.

[4] This has two meanings: The first one is that after pronouncing *Labbaik* each time, one should make supplications to Allâh for His willingness, His approval and the grant of Paradise. Secondly, one should make supplication to Allâh at the end of *Talbiya* which is concluded at the stone-throwing of *Jamrat-al-'Aqaba*.

قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «نَحَرْتُ هٰهُنَا، وَمِنًى كُلُّهَا مَنْحَرٌ، فَانْحَرُوا فِي رِحَالِكُمْ، وَوَقَفْتُ هٰهُنَا، وَعَرَفَةُ كُلُّهَا مَوْقِفٌ، وَوَقَفْتُ هٰهُنَا، وَجَمْعٌ كُلُّهَا مَوْقِفٌ». رَوَاهُ مُسْلِمٌ.

sacrificed here, but the whole of Mina is a place of sacrifice, so sacrifice where you are staying. I have stood here, but all 'Arafa is a place for standing. I have stood here, but all *Jam'* (Al-Muzdalifa) is a place for standing.[1] [Reported by Muslim].

(٦١٠) وَعَنْ عَائِشَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ لَمَّا جَاءَ إِلَى مَكَّةَ دَخَلَهَا مِنْ أَعْلَاهَا، وَخَرَجَ مِنْ أَسْفَلِهَا. مُتَّفَقٌ عَلَيْهِ.

**610.** Narrated 'Aisha رضي الله عنها: When the Prophet صلى الله عليه وسلم came to Makka, he entered it from the upper side and went out at the lower one.[2] [Agreed upon].

(٦١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ لَا يَقْدُمُ مَكَّةَ إِلَّا بَاتَ بِذِي طُوًى، حَتَّى يُصْبِحَ، وَيَغْتَسِلَ، وَيَذْكُرُ ذٰلِكَ عَنِ النَّبِيِّ ﷺ. مُتَّفَقٌ عَلَيْهِ.

**611.** Narrated Ibn 'Umar رضي الله عنهما: He ( Ibn 'Umar رضي الله عنهما) never used to come to Makka without spending the night at Dhi-Tuwâ[3] till morning after which he would bathe. He used to say that the Prophet صلى الله عليه وسلم was accustomed to do that. [Agreed upon].

(٦١٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ يُقَبِّلُ الْحَجَرَ الْأَسْوَدَ، وَيَسْجُدُ عَلَيْهِ. رَوَاهُ الْحَاكِمُ مَرْفُوعاً، وَالْبَيْهَقِيُّ مَوْقُوفاً.

**612.** Narrated Ibn 'Abbâs رضي الله عنهما: He used to kiss the Black Stone and prostrate on it.[4] [Reported by Al-Hâkim as a *Marfû'* (traceable) and Al-Baihaqi as *Mawquf* (untraceable)].

---

[1] *Jam'* is another name of Muzdalifa. The whole of the plain of 'Arafât is a staying place. Beginning from the noon of the ninth of Dhul-Hijja and till the dawn of the tenth of Dhul-Hijja, it is an obligation on the pilgrims to invariably spend some time in 'Arafât. The one missing this fundamental constituent of *Hajj*, misses the *Hajj* itself. In another words, there is no *Hajj* without staying in 'Arafât.

[2] The name of the upper side is *Ath-Thaniyat-ul-Ulya* and the lower side is *Ath-Thaniyat-us-Sufla*.

[3] Dhi-Tuwâ is the name of a place which lies within the limits of the sanctified region and is near the city of Makka.

[4] Prostrating before the Black Stone does not mean that he (the Prophet صلى الله عليه وسلم) made his prostration to the Black Stone itself. It can imply two meanings: The first one is that he kissed the Black Stone and set his forehead on it too which may only denote that such an act was done to perform the act of kissing to a perfection. Another meaning is that after completing the circumambulation of Ka'ba, the Prophet صلى الله عليه وسلم used to pray the two *Rak'a* of *Nafl* prayer in front of the Black Stone.

**613.** Narrated (Ibn 'Abbâs) رضي الله عنهما: The Prophet صلى الله عليه وسلم ordered them to run three rounds[1] and walk four[2] (rounds), and walk between the two corners[3]. [Agreed upon].

(٦١٣) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَهُمُ النَّبِيُّ ﷺ أَنْ يَرْمُلُوا ثَلاثَةَ أَشْوَاطٍ وَيَمْشُوا أَرْبَعاً، وَأَن يَمْشُوا بَيْنَ الرُّكْنَيْنِ. مُتَّفَقٌ عَلَيْهِ.

**614.** Narrated Ibn 'Umar رضي الله عنهما: Whenever he went round the House in the first circumambulation, he used to run three rounds and walk four (rounds). A version has: "I saw Allâh's Messenger صلى الله عليه وسلم when he performed the circumambulation at the *Hajj* or the *'Umrah* immediately on his arrival, he used to run three times round the House and walk four (times). [Agreed upon].

(٦١٤) وَعَن ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: (أَنَّهُ كَانَ إِذَا طَافَ بِالْبَيْتِ الطَّوَافَ الْأَوَّلَ خَبَّ ثَلاثاً وَمَشَى أَرْبَعاً. وَفِي رِوَايَةٍ: رَأَيْتُ رَسُولَ اللهِ ﷺ إِذَا طَافَ فِي الْحَجِّ أَوِ الْعُمْرَةِ أَوَّلَ مَا يَقْدُمُ فَإِنَّهُ يَسْعَى ثَلاثَةَ أَطْوَافٍ بِالْبَيْتِ وَيَمْشِي أَرْبَعَةً) مُتَّفَقٌ عَلَيْهِ.

**615.** Narrated (Ibn 'Umar) رضي الله عنهما: I have not seen Allâh's Messenger صلى الله عليه وسلم touching anything in the House (Ka'ba) but the two *Yamani* Corners. [Reported by Muslim].

(٦١٥) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَمْ أَرَ رَسُولَ اللهِ ﷺ يَسْتَلِمُ مِنَ الْبَيْتِ غَيْرَ الرُّكْنَيْنِ الْيَمَانِيَيْنِ. رَوَاهُ مُسْلِمٌ.

**616.** Narrated 'Umar رضي الله عنه: He kissed the Black Stone saying, "I know for sure that you are a stone which can neither benefit nor harm, and had I not seen Allâh's Messenger صلى الله عليه وسلم kiss you, I would not have kissed you."[4] [Agreed upon].

(٦١٦) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّهُ قَبَّلَ الْحَجَرَ الْأَسْوَدَ، وَقَالَ: إِنِّي أَعْلَمُ أَنَّكَ حَجَرٌ، لاَ تَضُرُّ وَلاَ تَنْفَعُ، وَلَوْلاَ أَنِّي رَأَيْتُ رَسُولَ اللهِ ﷺ يُقَبِّلُكَ مَا قَبَّلْتُكَ. مُتَّفَقٌ عَلَيْهِ.

---

[1] The word used in Arabic is *Ashwât* which is the plural of *Shawt*. *Shawt* stands for one complete circumambulation (circling around) of Ka'ba.

[2] Round the Ka'ba.

[3] *Rukn Al-Yamâni* and *Rukn Al-Hajar Al-Aswad*.

[4] 'Umar رضي الله عنه said so because the Arabs had quite newly turned away from polytheism and during the days of *Jahiliya* (days prior to the advent of Islâm), they had a faith to the effect that the statues (which are made out of stone) possess the strength and capability to benefit a human being. He only said it to refute and contradict this inherent notion of Arabs lest they should be misguided.

**617.** Narrated Abû Tufail[1] رضى الله عنه: I saw Allâh's Messenger صلى الله عليه وسلم going round the House, touching the Corner with a *Mihjan*[2] which he had, and kissing the *Mihjan*.[3] [Reported by Muslim].

(٦١٧) وَعَنْ أَبِي الطُّفَيْلِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَأَيْتُ رَسُولَ اللهِ ﷺ يَطُوفُ بِالْبَيْتِ، وَيَسْتَلِمُ الرُّكْنَ بِمِحْجَنٍ مَعَهُ، وَيُقَبِّلُ الْمِحْجَنَ. رَوَاهُ مُسْلِمٌ.

**618.** Narrated Ya'la bin Umaiya[4] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم performed the circumambulation wearing a green (Yemeni) mantle under his right armpit with the end over his left shoulder.[5] [Reported by *Al-Khamsa* except An-Nasâ'i and At-Tirmidhi graded it *Sahih* (sound)].

(٦١٨) وَعَنْ يَعْلَى بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: طَافَ رَسُولُ اللهِ ﷺ مُضْطَبِعاً بِبُرْدٍ أَخْضَرَ. رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ التِّرْمِذِيُّ.

**619.** Narrated Anas رضى الله عنه: Those of us who raised their voices in the *Talbîya* did so without any objection being made, and those of us who cried the *Takbîr* did so without any objection being made.[6] [Agreed upon].

(٦١٩) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ يُهِلُّ مِنَّا الْمُهِلُّ فَلاَ يُنْكَرُ عَلَيْهِ، وَيُكَبِّرُ مِنَّا الْمُكَبِّرُ فَلاَ يُنْكَرُ عَلَيْهِ. مُتَّفَقٌ عَلَيْهِ.

**620.** Narrated Ibn 'Abbâs رضى الله عنهما: The Prophet صلى الله عليه وسلم sent me (to

(٦٢٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ

[1] He is 'Aamir bin Wâthila Al-Laithi Al-Kinâni. He lived the last eight years of the Prophet's lifetime. He died in Makka in 100 H. or 102 H. or 110 H. and was the last *Sahâbi* to die all over the world.

[2] A walking stick with a bent handle.

[3] This *Hadîth* informs us that if someone fails to reach the Black Stone due to a heavy crowd around it, it is permissible for him to touch the same with a stick and then kiss it.

[4] He is Abû Safwân At-Tamimi Al-Makki, an ally of Quraish and a prominent *Sahâbi* who became a Muslim during the conquest of Makka. He witnessed the battles of Hunain, Tâ'if and Tabuk and served Abû Bakr, 'Umar and 'Uthmân. He lived up to nearly the fifties of Al-Hijra.

[5] This *Hadîth* elaborates on the manner and style of him (the Prophet صلى الله عليه وسلم) having the sheet on. The Prophet صلى الله عليه وسلم took out the sheet from underneath his right armpit and placed it onto his left shoulder. By doing so, he wanted to make a display of his health and strength. This act reflects the same amount and degree of sagacity, the one exhibited in the act of running while circling around Ka'ba. The same was not required after the dominance of Islâm, but the act of the Prophet صلى الله عليه وسلم became a *Sunna* (a supererogatory act) forever.

[6] One is permitted to pronounce *Takbîr* (*Allâhu Akbar*) but it is better to observe *Talbîya*.

تَعَالَى عَنْهُمَا قَالَ: بَعَثَنِي النَّبِيُّ ﷺ فِي الثَّقَلِ، أَوْ قَالَ: فِي الضَّعَفَةِ، مِنْ جَمْعٍ، بِلَيْلٍ. مُتَّفَقٌ عَلَيْهِ.

Mina) with the women and children or he said, with the weak members of his family[1] from *Jam*' at night. [Agreed upon].

(٦٢١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: اسْتَأْذَنَتْ سَوْدَةُ رَسُولَ اللهِ ﷺ لَيْلَةَ الْمُزْدَلِفَةِ أَنْ تَدْفَعَ قَبْلَهُ، وَكَانَتْ ثَبْطَةً، يَعْنِي ثَقِيلَةً، فَأَذِنَ لَهَا. مُتَّفَقٌ عَلَيْهِ.

**621.** Narrated 'Aisha رضي الله عنها: Sauda[2] (رضي الله عنها) asked permission from Allâh's Messenger صلى الله عليه وسلم to send her ahead on the night of Al-Muzdalifa, and she was a heavy i.e. burdensome woman, so he gave her permission. [Agreed upon].

(٦٢٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ لَنَا رَسُولُ اللهِ ﷺ: **«لا تَرْمُوا الْجَمْرَةَ حَتَّى تَطْلُعَ الشَّمْسُ»**. رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَفِيهِ انْقِطَاعٌ.

**622.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, to us "Do not throw pebbles at the *Jamra* till the sun rises."[3] [Reported by *Al-Khamsa* except An-Nasâ'i and it has *Inqitâ*' (omission)]

(٦٢٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: أَرْسَلَ النَّبِيُّ ﷺ بِأُمِّ سَلَمَةَ لَيْلَةَ النَّحْرِ، فَرَمَتِ الْجَمْرَةَ قَبْلَ الْفَجْرِ، ثُمَّ مَضَتْ، فَأَفَاضَتْ. رَوَاهُ أَبُو دَاوُدَ، وَإِسْنَادُهُ عَلَى شَرْطِ مُسْلِمٍ.

**623.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم sent Umm Salama (رضي الله عنها) on the night before the day of sacrifice and she threw pebbles at the *Jamra* before dawn. She then hastened (to Makka) and performed the circumambulation.[4] [Reported by Abû Dâ'ud and its narrators confirm with the conditions of Muslim].

---

[1] The ruling is that the pilgrim should spend the whole night in Muzdalifa: Stay at Al-Mash'ar-Al-Harâm after offering the morning prayer and then proceed from there. But it is permissible for the weak, the old, the sick and the women to depart from Muzdalifa after spending a big part of the night there so that they may reach Mina and complete the obligatory act of stoning before the people reach there and it gets too crowded.

[2] She is *Umm-ul-Mu'minîn* (Mother of the Believers) Sauda bint Zam'a bin 'Abd Shams Al-Qurashiya Al-'Aamiriya. She became a Muslim in Makka early and migrated with her husband to Abyssinia (Ethiopia) and he died there. Then Allâh's Messenger صلى الله عليه وسلم married and wedded her in Makka after the death of Khadija and before engaging 'Aisha رضي الله عنها. She died in 55 H.

[3] People in general are not permitted to throw pebbles at *Jamrât* before sunrise. The handicapped, however, are allowed to do so.

[4] *Tawâf-Al-Ifâda* is the one which is performed after the throwing of pebbles. This is one of the fundamental constituents of *Hajj* and there is no *Hajj* without it.

**624.** Narrated 'Urwa bin Mudarris[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever attends this prayer with us here meaning Al-Muzdalifa and stands with us till we move (to Mina), and he has stood at Al-'Arafa before by night or by day, his pilgrimage will be then complete[2] and has performed the rituals.[3] [Reported by *Al-Khamsa* and Ibn Khuzaima; At-Tirmidhi graded it *Sahih* (sound)].

(٦٢٤) وَعَنْ عُرْوَةَ بْنِ مُضَرِّسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ شَهِدَ صَلاَتَنَا هَذِهِ، يَعْنِي بِالْمُزْدَلِفَةِ، فَوَقَفَ مَعَنَا حَتَّى نَدْفَعَ، وَقَدْ وَقَفَ بِعَرَفَةَ قَبْلَ ذَلِكَ لَيْلاً أَوْ نَهَاراً، فَقَدْ تَمَّ حَجُّهُ، وَقَضَى تَفَثَهُ**». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ.

**625.** Narrated 'Umar رضي الله عنه: The polytheist did not use to return (from Al-Muzdalifa) till the sun rose, and they would say, "Let the sun shine on Thabir[4]." The Prophet صلى الله عليه وسلم acted differently from them, so he returned quickly (from Al-Muzdalifa) before the sun rose.[5] [Reported by Al-Bukhâri].

(٦٢٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّ الْمُشْرِكِينَ كَانُوا لاَ يُفِيضُونَ حَتَّى تَطْلُعَ الشَّمْسُ، وَيَقُولُونَ: أَشْرِقْ ثَبِيرُ! وَإِنَّ النَّبِيَّ ﷺ خَالَفَهُمْ، فَأَفَاضَ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ. رَوَاهُ الْبُخَارِيُّ.

**626.** Narrated Ibn 'Abbâs and Usama bin Zaid[6] رضي الله عنهم: The Prophet صلى الله عليه وسلم kept raising his voice in the

(٦٢٦) وَعَنِ ابْنِ عَبَّاسٍ، وَأُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُم، قَالاَ: لَمْ يَزَلْ

---

[1] 'Urwa bin Mudarris bin Aus bin Haritha bin Lâm Atta'i was a *Sahâbi* who witnessed *Hajjat-ul-Wadâ'* and settled at Kufa. He reported the *Hadith*.

[2] The major part which is standing at 'Arafat.

[3] *Tafath* means dirt and impurities. The said word implies the same because one gets his head shaven off and his body washed off dirt and impurities after the completion of *Hajj*. It marks the completion of *Hajj* (i.e. the one who carries out these instructions, his *Hajj* is consummated and accomplished).

[4] One of the highest mountains in Makka which appears on the left of the road to Mina.

[5] The act of returning from Muzdalifa prior to the beginning of sun's radiance is regarded as *Mashru'* (legitimate).

[6] Abû Muhammad or Abû Zaid Usama bin Zaid bin Hâritha bin Sharâhil Al-Kalbi, was the beloved one of Allâh's Messenger صلى الله عليه وسلم, his manumitted slave and son of his manumitted slave. His mother was Umm Aiman who baby-sitted the Prophet صلى الله عليه وسلم. The Prophet صلى الله عليه وسلم appointed him few days before his death to lead an army in which was Abû Bakr and 'Umar while he was only 18 years old. That army was however not dispatched due to the death of the Prophet صلى الله عليه وسلم then Abû Bakr dispatched it. Usama died after the death of 'Uthmân. It is also said he died in 54 H.

*Talbîya* till he threw pebbles[1] at the *JamrAt-Al-'Aqaba*.[2] [Reported by Al-Bukhâri].

النَّبِيُّ ﷺ يُلَبِّي حَتَّى رَمَى جَمْرَةَ الْعَقَبَةِ. رَوَاهُ الْبُخَارِيُّ.

**627.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: With the House on his left and Mina on his right he threw seven pebbles at the *Jamra* and said, "Here did he stand, to whom *Sûrat Al-Baqarah*[3] was sent down." [Agreed upon].

(٦٢٧) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ جَعَلَ الْبَيْتَ عَنْ يَسَارِهِ، وَمِنًى عَنْ يَمِينِهِ، وَرَمَى الْجَمْرَةَ بِسَبْعِ حَصَيَاتٍ، وَقَالَ: هَذَا مَقَامُ الَّذِي أُنْزِلَتْ عَلَيْهِ سُورَةُ الْبَقَرَةِ. مُتَّفَقٌ عَلَيْهِ.

**628.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم threw pebbles at the *Jamra* on the Day of Sacrifice in the forenoon, and after that, when the sun had passed the meridian.[4] [Reported by Muslim].

(٦٢٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَمَى رَسُولُ اللهِ ﷺ الْجَمْرَةَ يَوْمَ النَّحْرِ ضُحًى، وَأَمَّا بَعْدَ ذَلِكَ، فَإِذَا زَالَتِ الشَّمْسُ. رَوَاهُ مُسْلِمٌ.

**629.** Narrated Ibn 'Umar رضي الله عنهما: He used to throw seven pebbles at the nearest *Jamra*[5] saying the *Takbîr* after throwing each one. He would then go forward, and come to the interior of the valley[6] and after standing facing the *Qiblah*, making

(٦٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ كَانَ يَرْمِي الْجَمْرَةَ الدُّنْيَا بِسَبْعِ حَصَيَاتٍ، يُكَبِّرُ عَلَى إِثْرِ كُلِّ حَصَاةٍ، ثُمَّ يَتَقَدَّمُ، ثُمَّ يُسْهِلُ، فَيَقُومُ، فَيَسْتَقْبِلُ الْقِبْلَةَ،

---

[1] One should regularly pronounce *Talbiya* until he throws the first pebble at *Jamrat-al-'Aqaba*. The throwing of the first pebble marks the end of *Talbiya*. This is the opinion of the majority of scholars.

[2] The major spot at Mina at which the pilgrims throw stones first on the day of slaughtering the sacrificial animals(the 10th of Dhul-Hijja).

[3] The Prophet صلى الله عليه وسلم mentioned about the revelation of *Sûrat Al-Baqarah* because its few verses comprise the rulings and instructions about *Hajj*.

[4] One must complete the act of throwing pebbles before *Zawâl* (sun decline) on the day of *'Eid*. In case one fails to do so during the first part of the day, he must refrain from throwing pebbles in the noon. After the sun passes the meridian, the above ritual may be performed.

[5] The Arabic word *Dunya* may be translated as 'near'. Since the same is located near the Khaif Mosque, it is called *Jamrat-ud-Dunya*. The same is also known as *Jamrat-ul-Ula*.

[6] Here *Sahl* is an Arabic word used for a soft piece of land or a plain. This implies that the Prophet صلى الله عليه وسلم, pursuant to the act of throwing pebbles at *Jamra*, did not stand there but came out in the open, stood there at ease and then made supplications to Allâh.

supplication and raising his hands and standing for a long time, he would throw pebbles at the middle one. He would then turn to the left and go farther into the valley, and after standing facing the *Qiblah*, making supplication raising hands and standing for a long time, he would throw pebbles at the *Jamrat-al-'Aqaba* from the bottom of the valley, but he did not stand beside it. Then he would depart and say, "This is how I saw Allâh's Messenger صلى الله عليه وسلم doing it." [Reported by Al-Bukhâri].

فَيَقُومُ طَوِيلاً، وَيَدْعُو، فَيَرْفَعُ يَدَيْهِ، ثُمَّ يَرْمِي الْوُسْطَى، ثُمَّ يَأْخُذُ ذَاتَ الشِّمَالِ، فَيُسْهِلُ، وَيَقُومُ مُسْتَقْبِلَ الْقِبْلَةِ، ثُمَّ يَدْعُو، فَيَرْفَعُ يَدَيْهِ، وَيَقُومُ طَوِيلاً، ثُمَّ يَرْمِي جَمْرَةَ ذَاتِ الْعَقَبَةِ، مِنْ بَطْنِ الْوَادِي، وَلاَ يَقِفُ عِنْدَهَا، ثُمَّ يَنْصَرِفُ، فَيَقُولُ: هٰكَذَا رَأَيْتُ رَسُولَ اللهِ ﷺ يَفْعَلُهُ. رَوَاهُ الْبُخَارِيُّ.

**630.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "O Allâh, have mercy on those who have themselves shaved." The people suggested: "And those who clip their hair,[1] O Allâh's Messenger." He added in the third time, "And those who clip their hair." [Agreed upon].

(٦٣٠) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «اللَّهُمَّ ارْحَمِ الْمُحَلِّقِينَ»، قَالُوا: وَالْمُقَصِّرِينَ، يَا رَسُولَ اللهِ! قَالَ فِي الثَّالِثَةِ: «وَالْمُقَصِّرِينَ». مُتَّفَقٌ عَلَيْهِ.

**631.** Narrated 'Abdullâh bin 'Amr bin Al-Aas رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم stopped during the Farewell Pilgrimage, and the people began asking him. A man said, "Being ignorant, I shaved before sacrificing." He replied, "Sacrifice, for there is no harm (sin)." Another came and said, "Being ignorant, I sacrificed before throwing the pebbles." He replied, "Throw them, for there is no harm (sin)." He was not asked about anything which had been done before or after its proper

(٦٣١) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ وَقَفَ فِي حَجَّةِ الْوَدَاعِ، فَجَعَلُوا يَسْأَلُونَهُ، فَقَالَ رَجُلٌ: لَمْ أَشْعُرْ، فَحَلَقْتُ قَبْلَ أَنْ أَذْبَحَ، قَالَ: «اذْبَحْ وَلاَ حَرَجَ»، وَجَاءَ آخَرُ فَقَالَ: لَمْ أَشْعُرْ، فَنَحَرْتُ قَبْلَ أَنْ أَرْمِيَ، قَالَ: «ارْمِ وَلاَ حَرَجَ»، فَمَا سُئِلَ يَوْمَئِذٍ عَنْ شَيْءٍ قُدِّمَ وَلاَ أُخِّرَ إِلاَّ قَالَ: «افْعَلْ وَلاَ حَرَجَ». مُتَّفَقٌ عَلَيْهِ.

[1] It is important to have a haircut after performing either *Hajj* or *'Umrah*. Both the shaving of the head and the shortening of one's head hairs is permissible, but a shaving is preferable. Even a bald person is instructed to apply a razor on his entire head.

time during that day without saying, "Do it for there is no harm (sin).[1]" [Agreed upon].

**632.** Narrated Miswar bin Makhrama[2] رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم sacrificed before shaving his head and ordered his Companions to do the same. [Reported by Al-Bukhâri].

(٦٣٢) وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ نَحَرَ قَبْلَ أَنْ يَحْلِقَ، وَأَمَرَ أَصْحَابَهُ بِذَلِكَ. رَوَاهُ الْبُخَارِيُّ.

**633.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "After you throw (the pebbles) and shave (your hair) (the use of) perfume and everything else but women[3] become lawful for you." [Reported by Ahmad and Abû Dâ'ud. There is weakness in its chain of narrators].

(٦٣٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا رَمَيْتُمْ وَحَلَقْتُمْ، فَقَدْ حَلَّ لَكُمُ الطِّيبُ، وَكُلُّ شَيْءٍ، إِلاَّ النِّسَاءَ**». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَفِي إِسْنَادِهِ ضَعْفٌ.

**634.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "Shaving is not a duty laid on women,[4] but they must clip their hair." [Abû Dâ'ud reported it with a good chain of narrators].

(٦٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «**لَيْسَ عَلَى النِّسَاءِ حَلْقٌ، وَإِنَّمَا عَلَى النِّسَاءِ التَّقْصِيرُ**». رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

**635.** Narrated Ibn 'Umar رضي الله عنهما: 'Abbâs bin 'Abdul-Muttalib (رضي الله عنه) asked permission from Allâh's

(٦٣٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ الْعَبَّاسَ بْنَ عَبْدِ الْمُطَّلِبِ

[1] The pilgrims have four obligations on the *'Eid* day (10th Dhul-Hijja). The first one is to throw pebbles at *Jamra* (*Al-'Aqaba*), then performing an animal sacrifice, then the shaving of one's head and finally the circumambulation of the House of Allâh. This circumambulation is called *Tawâf-az-Ziyara*. The respective order of these four acts according to the Islâmic law is the same as mentioned here. The observance of this order is *Sunna* (supererogatory). There is no harm if this order goes unobserved due to ignorance, but in case someone does it deliberately, it is a sin even though he incurs no penalty.

[2] Al-Miswar bin Makhrama is a Zuhri and a Qurashi. He was among the virtuous people. He moved to Makka after the killing of 'Uthmân. He was hit and killed by a missile while praying during the siege of Makka by Yazid bin Mu'âwiya in the year 64 H.

[3] This clarifies that after the throwing of pebbles at *Jamrat-al-'Aqaba* and the shaving away of one's head, all the restrictions are lifted thereof except having a sexual intercourse with women. The same is allowed after performing *Tawâf-al-Ifâda* only.

[4] It becomes known to us that the women need not shave off their heads but they should shear some of them from the lower portion of their head-hair.

Messenger صلى الله عليه وسلم to spend in Makka the nights which were spent at Mina on account of his office of supplying water, and he gave him permission.[1] [Agreed upon].

اسْتَأْذَنَ رَسُولَ اللهِ ﷺ أَنْ يَبِيتَ بِمَكَّةَ لَيَالِيَ مِنًى، مِنْ أَجْلِ سِقَايَتِهِ، فَأَذِنَ لَهُ. مُتَّفَقٌ عَلَيْهِ.

**636.** Narrated 'Aasim bin 'Adi[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم gave permission to herdsmen of camels not to pass the nights at Mina and throw (pebbles) on the Day of Sacrifice then throw on the next day and the day after together, then throw on the day of dispersal (from Mina). [Reported by *Al-Khamsa*, At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(٦٣٦) وَعَنْ عَاصِمِ بْنِ عَدِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَرْخَصَ لِرُعَاةِ الْإِبِلِ فِي الْبَيْتُوتَةِ عَنْ مِنًى، يَرْمُونَ يَوْمَ النَّحْرِ، ثُمَّ يَرْمُونَ الْغَدَ وَمِنْ بَعْدِ الْغَدِ لِيَوْمَيْنِ، ثُمَّ يَرْمُونَ يَوْمَ النَّفْرِ. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**637.** Narrated Abû Bakra رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم gave us a *Khutba* (religious talk — sermon) on the Day of Sacrifice. The narrator reported the rest of the *Hadîth*. [Agreed upon].

(٦٣٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: خَطَبَنَا رَسُولُ اللهِ ﷺ يَوْمَ النَّحْرِ، اَلْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

**638.** Narrated Sarrâ' bint Nabhân[3] رضى الله عنها: Allâh's Messenger صلى الله عليه وسلم addressed us on the day after the Day of Sacrifice[4] and said, "Is this not the middle day of the *Tashrîq* days?" The narrator reported the rest of the *Hadîth*. [Abû Dâ'ud reported it with a *Hasan* chain of narrators].

(٦٣٨) وَعَنْ سَرَّاءَ بِنْتِ نَبْهَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خَطَبَنَا رَسُولُ اللهِ ﷺ يَوْمَ الرُّءُوسِ فَقَالَ: «**أَلَيْسَ هَذَا أَوْسَطَ أَيَّامِ التَّشْرِيقِ؟**» اَلْحَدِيثَ. رَوَاهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

---

[1] It is *Wâjib* (compulsory) to spend the night in Mina. In case one is unable to spend the whole night, he should at least be there for the most part of the night.

[2] He is nicknamed Abû 'Ubaidullâh or Abû 'Amr and was an ally of Banu 'Amr bin 'Auf of the *Ansâr*. He witnessed the battle of Badr and the later battles. He was the commander of Al-'Aaliya tribes during the battle of Badr and so the Prophet صلى الله عليه وسلم gave him one portion of the booties. He died in 45 H. It is also said that he was martyred during the battle of Al-Yamama at the age of 120 years.

[3] Sarrâ' bint Nabhân Al-Ghanawiya is a *Sahâbiya* and Rabi'a bin Abû 'Abdur-Rahmân narrated the *Hadîth* from her.

[4] *Yaum-ur-Ro'us* (day of heads) is the name of the day following the *'Eid* day.

**639.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said to her, "The circumambulation round the House and the running between As-Safa and Al-Marwa are sufficient for your *Hajj* and '*Umrah*[1]. [Reported by Muslim].

(٦٣٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «**طَوَافُكِ بِالْبَيْتِ، وَسَعْيُكِ بَيْنَ الصَّفَا وَالْمَرْوَةِ، يَكْفِيكِ لِحَجِّكِ وَعُمْرَتِكِ**». رَوَاهُ مُسْلِمٌ.

**640.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم did not run in the seven circumambulations[2] he made when he returned to Makka. [Reported by *Al-Khamsa* except At-Tirmidhi; Al-Hâkim graded it *Sahih* (sound)].

(٦٤٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَمْ يَرْمُلْ فِي السَّبْعِ الَّذِي أَفَاضَ فِيهِ. رَوَاهُ الْخَمْسَةُ إِلاَّ التِّرْمِذِيَّ، وَصَحَّحَهُ الْحَاكِمُ.

**641.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم prayed *Az-Zuhr*, *Al-'Asr*, *Al-Maghrib* and *Al-'Ishâ'* prayers after which he had a sleep at Al-Muhassab[3]. He then rode to the House and performed the circumambulation.[4] [Reported by Al-Bukhâri].

(٦٤١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ صَلَّى الظُّهْرَ وَالْعَصْرَ وَالْمَغْرِبَ وَالْعِشَاءَ، ثُمَّ رَقَدَ رَقْدَةً بِالْمُحَصَّبِ، ثُمَّ رَكِبَ إِلَى الْبَيْتِ، فَطَافَ بِهِ. رَوَاهُ الْبُخَارِيُّ.

**642.** Narrated 'Aisha رضي الله عنها: She used not to do that i.e., stopping at Al-Abtah, but Allâh's Messenger صلى الله عليه وسلم stopped there simply because it was an easier stopping for him to depart from.[5] [Reported by Muslim].

(٦٤٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّهَا لَمْ تَكُنْ تَفْعَلُ ذٰلِكَ - أَيِ النُّزُولَ بِالأَبْطَحِ - وَتَقُولُ: إِنَّمَا نَزَلَهُ رَسُولُ اللهِ ﷺ لأَنَّهُ كَانَ مَنْزِلاً أَسْمَحَ لِخُرُوجِهِ. رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadîth* informs us that performing one *Tawâf* and one *Sa'y* each, covers and suffices for both *'Umrah* nad *Hajj* for a pilgrim who is doing *Hajj Qirân*. Conversely, the one who is intending a *Hajj Tamattu'* will, however, have to perform two *Tawâf* and two *Sa'y* each separately.

[2] It thus becomes known to us that there is no *Raml* (running) either in *Tawâf-al-Ifâda* or *Tawâf-al-Wadâ'*. *Raml* is performed in *Tawâf-al-Qudûm* only. *Tawâf-al-Qudûm* is the one which is performed upon entering Makka at first. One should also bear in mind that *Raml* (running) is meant for males only and not the females. In case one fails to observe it in *Tawâf-al-Qudûm*, he should do it while performing *Tawâf-al-Ifâda*.

[3] Muhassab is an open ground between two mountains closer to Mina than to Makka. It is also called Abtah, Batha and Khaif Banu Kinâna.

[4] This is *Tawâf-al-Wadâ'* which is performed at the time of departing from Makka.

[5] When leaving for Al-Madîna.

(٦٤٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أُمِرَ النَّاسُ أَن يَكُونَ آخِرُ عَهْدِهِمْ بِالْبَيْتِ، إِلاَّ أَنَّهُ خُفِّفَ عَنِ الْحَائِضِ. مُتَّفَقٌ عَلَيْهِ.

**643.** Narrated Ibn 'Abbâs رضي الله عنهما: The people were commanded not to depart without passing the House (to perform *Tawâf-al-Wadâ'*), except that this is remitted for a woman who is in her menstruation period.[1] [Agreed upon].

(٦٤٤) وَعَنِ ابْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «صَلاَةٌ فِي مَسْجِدِي هَذَا، أَفْضَلُ مِنْ أَلْفِ صَلاَةٍ فِيمَا سِوَاهُ، إِلاَّ الْمَسْجِدَ الْحَرَامَ، وَصَلاَةٌ فِي الْمَسْجِدِ الْحَرَامِ، أَفْضَلُ مِنْ صَلاَةٍ فِي مَسْجِدِي هَذَا بِمِائَةِ صَلاَةٍ». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ ابْنُ حِبَّانَ.

**644.** Narrated Ibn Zubair[2] رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said: "One prayer in this mosque of mine is better than a thousand elsewhere, except *Al-Masjid Al-Harâm* (the sacred Mosque); and one prayer in the Sacred Mosque is better than a prayer in this mosque of mine by a hundred prayers."[3] [Reported by Ahmad and Ibn Hibbân graded it *Sahih* (sound)].

## ٦ - بَابُ الْفَوَاتِ وَالإِحْصَارِ

## Chapter 6
## MISSING THE *HAJJ* (PILGRIMAGE) AND BEING DETAINED

(٦٤٥) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَدْ أُحْصِرَ رَسُولُ اللهِ ﷺ،

**645.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم had been detained,[4] so he shaved his

[1] This is *Tawâf-al-Wadâ'* (farewell circumambulation of Ka'ba), which is compulsory (*Wâjib*) according to all the *Imâm* except Imâm Mâlik رحمه الله. However, the menstruating women are exempted from it. Anyone missing it, is liable to make an animal sacrifice.

[2] He is Abû Bakr 'Abdullâh bin Az-Zubair bin Al-'Awwâm Al-Qurashi Al-Asadi. His mother Asma bint Abû Bakr migrated to Al-Madîna while pregnant and gave birth to him at Qubâ' and he thus became the first baby to be born after the *Hijra*. He fasted and prayed a lot, was a noble man who did not accept to be wronged and a fierce fighter. He was also eloquent, accepted the rightfulness and used to take care of his next of kins. He was sworn as a *Khalifa* after the death of Yazid bin Mu'âwiya in 64 H. and so he conquered Al-Hijâz, the two 'Irâqs, Yemen, Egypt and most of the Shâm. Al-Hajjâj bin Yusûf Ath-Thaqafi sieged him in Makka and was martyred and crucified in the month of Jumada Al-Ukhra 73 H.

[3] It is reported in Tabarâni that a prayer offered in Al-Aqsa Mosque (*Bait-ul-Maqdis*) shall be rewarded five hundred times and the one offered in the mosque of the Prophet صلى الله عليه وسلم shall be rewarded a thousand times whereas the one offered in *Al-Masjid-al-Harâm* (the House of Allâh) shall be rewarded a hundred thousand times.

[4] What are the factors that may be regarded as a blockading hindrance or an impediment on the way to one's performing a pilgrimage? The majority of scholars are of the opinion that anything interfering with the pilgrim causes a hindrance, whether it happens to be an

head, had intercourse with his wives and sacrificed his animals. Then he performed the '*Umrah* in the following year. [Reported by Al-Bukhâri].

فَحلَق رَأْسَهُ، وَجَامَعَ نِسَاءَهُ، وَنَحرَ هَدْيَهُ، حَتَّى اعْتَمَرَ عَاماً قَابِلاً. رَوَاهُ الْبُخَارِيُّ.

**646.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم went in to visit Dubâ'a[1] bint Zubair bin Abdul-Muttalib رضي الله عنها and she said, "O Allâh's Messenger, I have intended to perform the pilgrimage, but I am suffering from pain." The Prophet صلى الله عليه وسلم said, "Perform the pilgrimage, but make a provision that 'the place where I take off the *Ihrâm* will be where You (Allâh) restrain me.' " [Agreed upon].

(٦٤٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْها قَالَتْ: دَخَلَ النَّبِيُّ ﷺ عَلَى ضُبَاعَةَ بِنْتِ الزُّبَيْرِ بْنِ عَبْدِ المُطَّلِبِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنِّي أُرِيدُ الحَجَّ، وَأَنَا شَاكِيَةٌ، فَقَالَ النَّبِيُّ ﷺ: «**حُجِّي وَاشْتَرِطِي أَنَّ مَحِلِّي حَيْثُ حَبَسْتَنِي**». مُتَّفَقٌ عَلَيْهِ.

**647.** Narrated 'Ikrima[2] from Al-Hajjâj bin 'Amr Al-Ansâri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone breaks a leg or becomes lame he has come out of the state of *Ihrâm* and must perform the pilgrimage the following year." 'Ikrima said, "I asked Ibn 'Abbâs and Abû Huraira about that, and they replied, 'He has spoken the truth.' " [Reported by *Al-Khamsa*; At-Tirmidhi graded it *Hasan*].

(٦٤٧) وَعَنْ عِكْرِمَةَ عَنِ الْحَجَّاجِ ابْنِ عَمْرٍو الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ كُسِرَ أَوْ عَرِجَ فَقَدْ حَلَّ، وَعَلَيْهِ الْحَجُّ مِنْ قَابِلٍ**»، قَالَ عِكْرِمَةُ: فَسَأَلْتُ ابْنَ عَبَّاسٍ وَأَبَا هُرَيْرَةَ عَنْ ذٰلِكَ، فَقَالاَ: صَدَقَ. رَوَاهُ الْخَمْسَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

---

enemy, disease, fright or inability to travel. Some maintain that *Ihsâr* (hindrance) is only caused due to an enemy who is a disbeliever. There is a difference of opinion among the scholars in regard to the sacrifice to be offered by such a stranded pilgrim. The majority are of the view that one must slaughter the sacrificial animal exactly at the same place where one undoes his *Ihrâm* whether that place lies within the limits of the sanctified region or outside it.

[1] She was called Umm Hakim Dubâ'a bint Az-Zubair bin 'Abdul-Muttalib bin Hâshim bin 'Abd-Manaf, the daughter of the Prophet's uncle. She was married to Al-Miqdâd bin Al-Aswad for whom she bore 'Abdullâh and Karima. She died during 'Ali's Caliphate.

[2] 'Ikrima was called Abû 'Abdullâh 'Ikrima Al-Madani, the manumitted slave of 'Abdullâh bin 'Abbâs. He descended from the Barbar and was one of the learned *Imâm*, and among the *Fiqh* scholars of Makka. He was among the middle *Tabi'in* and probably died in Al-Madîna in 107 H. at the age of 80 years.

# 7. THE BOOK OF BUSINESS TRANSACTIONS

# ٧ - كِتَابُ الْبُيُوعِ

## Chapter 1
## CONDITIONS OF BUSINESS TRANSACTIONS AND THOSE WHICH ARE FORBIDDEN

## ١ - بَابُ شُرُوطِهِ وَمَا نُهِيَ عَنْهُ مِنْهُ

**648.** Narrated Rifâ'a bin Râfi' رضي الله عنه: The Prophet صلى الله عليه وسلم was asked, 'What type of earning is best?'[1] He replied, "A man's work with his hand and every business transaction which is approved." [Reported by Al-Bazzâr; Al-Hâkim graded it *Sahih* (sound)].

(٦٤٨) عَنْ رِفَاعَةَ بْنِ رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ سُئِلَ أَيُّ الْكَسْبِ أَطْيَبُ؟ قَالَ: «عَمَلُ الرَّجُلِ بِيَدِهِ، وَكُلُّ بَيْعٍ مَبْرُورٍ». رَوَاهُ الْبَزَّارُ، وَصَحَّحَهُ الْحَاكِمُ.

**649.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: I heard Allâh's Messenger صلى الله عليه وسلم saying in the year of the Conquest when he was in Makka, "Allâh and His Messenger have forbidden the sale of wine, dead animals, swine and idols." He was asked, "O Allâh's Messenger, what about the fat of a dead animal for it is used for caulking ships, greasing skins, and making oils for lamps?' He replied, "No, it is unlawful." Allâh's Messenger صلى الله عليه وسلم then added: "May Allâh curse the Jews, when Allâh the Most High declared the fat of such animals unlawful they melted it, then sold it and enjoyed the price[2] they received." [Agreed upon].

(٦٤٩) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ تَعَالَى عَنْهُمَا، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ عَامَ الْفَتْحِ، وَهُوَ بِمَكَّةَ: «إِنَّ اللهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ». فَقِيلَ: يَا رَسُولَ اللهِ أَرَأَيْتَ شُحُومَ الْمَيْتَةِ؟ فَإِنَّهَا تُطْلَى بِهَا السُّفُنُ، وَيُدْهَنُ بِهَا الْجُلُودُ، وَيَسْتَصْبِحُ بِهَا النَّاسُ، فَقَالَ: «لَا هُوَ حَرَامٌ»، ثُمَّ قَالَ رَسُولُ اللهِ ﷺ عِنْدَ ذَٰلِكَ: «قَاتَلَ اللهُ الْيَهُودَ، إِنَّ اللهَ لَمَّا حَرَّمَ عَلَيْهِمْ شُحُومَهَا جَمَلُوهُ، ثُمَّ بَاعُوهُ، فَأَكَلُوا ثَمَنَهُ». مُتَّفَقٌ عَلَيْهِ.

[1] Which occupation is the best? Scholars differ on this issue. Allama Nawawi gathered all *Ahâdith* on the subject and sifted thoroughly, in the end he gave his verdict that the profession of agriculture is the best among all, as the most of the creatures reap benefit from it. Second best profession is craftsmanship and industry and the honest trade is given third place. Some scholars have given priority to industry and others have preferred honest trade. Allâh has the best knowledge of everything.

[2] It means that trading in liquor, dead animals, carrion, swine, idols and statues is prohibited. This *Hadith* also makes the point clear that anything which is unlawful in itself, its earned

(٦٥٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا اخْتَلَفَ الْمُتَبَايِعَانِ، وَلَيْسَ بَيْنَهُمَا بَيِّنَةٌ، فَالْقَوْلُ مَا يَقُولُ رَبُّ السِّلْعَةِ أَوْ يَتَتَارَكَانِ». رَوَاهُ الْخَمْسَةُ وَصَحَّحَهُ الْحَاكِمُ.

**650.** Narrated Ibn Mas'ûd رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "When two people who are arranging a business transaction disagree and there is no proof to arbitrate between them, the seller's word is final, or they may break the deal." [Reported by *Al-Khamsa* and authenticated by Al-Hâkim].

(٦٥١) وَعَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ ثَمَنِ الْكَلْبِ، وَمَهْرِ الْبَغِيِّ، وَحُلْوَانِ الْكَاهِنِ. مُتَّفَقٌ عَلَيْهِ.

**651.** Narrated Abû Mas'ûd Al-Ansâri رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم prohibited the price paid for a dog,[1] the payment made to a prostitute,[2] and the gift given to a soothsayer[3]." [Agreed upon].

(٦٥٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّهُ كَانَ يَسِيرُ عَلَى جَمَلٍ لَهُ قَدْ أَعْيَا، فَأَرَادَ أَنْ يُسَيِّبَهُ، قَالَ: فَلَحِقَنِي النَّبِيُّ ﷺ، فَدَعَا لِي، وَضَرَبَهُ، فَسَارَ سَيْراً لَمْ يَسِرْ مِثْلَهُ، قَالَ: بِعْنِيهِ بِأُوقِيَّةٍ، قلت: لا ثم قال: بِعْنِيهِ فَبِعْتُه بِأُوقِيَّةٍ، وَاشْتَرَطْتُ حُمْلَانَهُ إِلَى أَهْلِي، فَلَمَّا بَلَغْتُ أَتَيْتُهُ بِالْجَمَلِ، فَنَقَدَنِي ثَمَنَهُ، ثُمَّ رَجَعْتُ، فَأَرْسَلَ فِي أَثَرِي، فَقَالَ: أَتُرَانِي مَاكَسْتُكَ لِآخُذَ جَمَلَكَ؟ خُذْ جَمَلَكَ وَدَرَاهِمَكَ، فَهُوَ لَكَ. مُتَّفَقٌ عَلَيْهِ. وَهَذَا

**652.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: I was travelling on a camel of my own which had grown jaded and I intended to let it off. The Prophet صلى الله عليه وسلم followed me and made supplication for me and struck it, then it went as it had never done before. He then said, "Sell it to me for one *Uqiya*[4]." I replied, "No." He again said, "Sell it to me." So I sold it to him for one *Uqiya*, but conditioned that I should be allowed to ride it to home. Then when I reached (home), I took the camel to him and he paid me its price in ready money. I then went back and he sent someone after me.

money is also unlawful and the change in its form do not efface the command of prohibition, as the noble Prophet صلى الله عليه وسلم ordered about the price of fat.

[1] According to most of the religious elites, trading in dogs is also unlawful.

[2] Earned money of a prostitute is unlawful. There is a censensus of Muslim nation on this issue.

[3] Soothsayer tells the future news by guess, and earns money through that. So this type of money accepted by fortune-tellers, is unlawful unanimously. Similarly the singing and its payment is also prohibited.

[4] One *Uqiya* is equal to forty Dirhams.

(When I came), he said, "Do you think that I asked you to reduce the value of your camel's price[1] to take it? Take your camel and your coins; for it is yours." [Agreed upon; and this is Muslim's version].

السِّيَاقُ لِمُسْلِمٍ.

**653.** Narrated (Jâbir bin 'Abdullâh) رضي الله عنهما: A man of us declared that a slave of his own would be free after his death, but he had no other property. The Prophet صلى الله عليه وسلم sent for him and sold him.[2] [Agreed upon].

(٦٥٣) وَعَنْهُ قَالَ: أَعْتَقَ رَجُلٌ مِّنَّا عَبْداً لَهُ عَنْ دُبُرٍ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ، فَدَعَا بِهِ النَّبِيُّ ﷺ فَبَاعَهُ. مُتَّفَقٌ عَلَيْهِ.

**654.** Narrated Maimuna رضي الله عنها, the wife of the Prophet صلى الله عليه وسلم: A mouse fell into some ghee and died. The Prophet صلى الله عليه وسلم was asked about it and he replied, "Throw it and what is surrounding it away and eat it (the ghee)." [Reported by Al-Bukhâri; Ahmad and An-Nasâ'i added: "into a solid ghee."]

(٦٥٤) وَعَنْ مَيْمُونَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا زَوْجِ النَّبِيِّ ﷺ، أَنَّ فَأْرَةً وَقَعَتْ فِي سَمْنٍ، فَمَاتَتْ فِيهِ، فَسُئِلَ النَّبِيُّ ﷺ عَنْهَا فَقَالَ: «أَلْقُوهَا وَمَا حَوْلَهَا وَكُلُوهُ». رَوَاهُ الْبُخَارِيُّ، وَزَادَ أَحْمَدُ وَالنَّسَائِيُّ: «فِي سَمْنٍ جَامِدٍ».

**655.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If a mouse falls into ghee which is solid, throw the mouse and what is surrounding it away; but if it is in a liquid state do not go near it." [Ahmad and Abû Dâ'ud reported it; Al-Bukhâri and Abû Hâtim ruled it to be misconceived].

(٦٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا وَقَعَتِ الْفَأْرَةُ فِي السَّمْنِ، فَإِنْ كَانَ جَامِداً فَأَلْقُوهَا وَمَا حَوْلَهَا، وَإِنْ كَانَ مَائِعاً فَلَا تَقْرَبُوهُ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَقَدْ حَكَمَ عَلَيْهِ الْبُخَارِيُّ وَأَبُو حَاتِمٍ بِالْوَهَمِ.

**656.** Narrated Abû Zubair[3] رضي الله عنه: I asked Jâbir (رضي الله عنه) about the

(٦٥٦) وَعَنْ أَبِي الزُّبَيْرِ قَالَ: سَأَلْتُ

[1] May be you are thinking that I purchased your camel at a low price.

[2] It means that selling a *Mudabbar* slave is permissible. *Mudabbar* slave, a male or female, is that one who is told by the master that he or she will be free after his (master's) death.

[3] He is Muhammad bin Muslim bin Tadrus Al-Asadi Al-Makki, a manumitted slave of Hakim bin Hizâm. He was a *Tabi'i* whose reliability was agreed upon by the *Hadîth* scholars. He died in 128 H.

payment for cats and dogs[1] and he replied, "The Prophet صلى الله عليه وسلم rebuked that." [Reported by Muslim and An-Nasâ'i; the latter added: "except a hunting dog."]

**657.** Narrated 'Aisha رضي الله عنها: Barira[2] came to her and said, "I had arranged[3] to buy my freedom for nine *Uqiya*; one to be paid annually, so help me." 'Aisha رضي الله عنها replied, "If your people are willing that I should count them out to them, and I shall have the right to inherit from you, I shall do so." Barira went to her people and told them about it, but they refused the offer. When she came back Allâh's Messenger صلى الله عليه وسلم was sitting (in the house). She said, "I offered that to them, but they insisted that the right to inherit from me[4] should be theirs." The Prophet صلى الله عليه وسلم heard that and 'Aisha رضي الله عنها told him about it, so he said to 'Aisha رضي الله عنها, "Take her on the condition that the right to inherit from her will be yours, for the right of

جَابِراً عَنْ ثَمَنِ السِّنَّوْرِ وَالْكَلْبِ. فَقَالَ: زَجَرَ النَّبِيُّ ﷺ عَنْ ذٰلِكَ. رَوَاهُ مُسْلِمٌ وَالنَّسَائِيُّ وَزَادَ: **«إِلاَّ كَلْبَ صَيْدٍ»**.

(٦٥٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: جَاءَتْنِي بَرِيْرَةُ، فَقَالَتْ: إِنِّي كَاتَبْتُ أَهْلِيْ عَلَى تِسْعِ أَوَاقٍ، فِي كُلِّ عَامٍ أُوقِيَّةٌ، فَأَعِينِيْنِيْ! قُلْتُ: إِنْ أَحَبَّ أَهْلُكِ أَنْ أَعُدَّهَا لَهُمْ، وَيَكُونُ وَلاَؤُكِ لِيْ فَعَلْتُ، فَذَهَبَتْ بَرِيْرَةُ إِلَى أَهْلِهَا، فَقَالَتْ لَهُمْ، فَأَبَوا عَلَيْهَا، فَجَاءَتْ مِنْ عِنْدِهِمْ، وَرَسُولُ اللهِ ﷺ جَالِسٌ، فَقَالَتْ: إِنِّي قَدْ عَرَضْتُ ذٰلِكَ عَلَيْهِمْ فَأَبَوا، إِلاَّ أَنْ يَكُونَ الْوَلاَءُ لَهُمْ، فَسَمِعَ النَّبِيُّ ﷺ، فَأَخْبَرَتْ عَائِشَةُ النَّبِيَّ ﷺ، فَقَالَ: **«خُذِيهَا وَاشْتَرِطِي لَهُمُ الْوَلاَءَ فَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ»**، فَفَعَلَتْ عَائِشَةُ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، ثُمَّ قَامَ رَسُولُ اللهِ ﷺ فِي النَّاسِ خَطِيباً، فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: **«أَمَّا بَعْدُ، فَمَا**

---

[1] Buying and selling of cats is unanimously unlawful, and there is no difference of opinion about common or ordinary dogs, as their trade is also unlawful, but about the hunting dogs, there is a difference of opinion. Some people consider it legal.

[2] Barira was the slave-girl of 'Aisha رضي الله عنها 'Mother of the Believers' and she was married to Mughith, the slave of the family of Abû Ahmad bin Jahsh. When she was freed, the Prophet صلى الله عليه وسلم gave her the freedom of choice and she chose to be free from her husband who was still a slave and automatically became divorced from him.

[3] *Kitâbat* (كتابة): or *Mukâtaba* (مكاتبة) means the written contract of liberation of a slave or slave-girl from his / her master against the payment of money. Either side can move this proposal, master may ask for the money or the slave can offer money for his freedom.

[4] After the death of a *Mukâtab* slave (male or female) his/her left property is called *Wala'* (ولاء). If somebody pays the amount of contract (كتابة) and liberates *Makâtab* (مكاتب) — slave or slave-girl, than in case of the death of slave or slave-girl, he who has paid the money, inherits the property, and if the contract money is paid by the slave himself, than his property goes to his kins.

inheritance belongs only to the one who has set a slave free."[1] 'Aisha رضي الله عنها did so. Allâh's Messenger صلى الله عليه وسلم then stood up among the people, and after praising and extolling Allâh, he said, "To proceed; what is the matter with some men who make conditions which are not in Allâh's Most High Book? Any condition which is not in Allâh's Book is worthless. Even if there are a hundred conditions, Allâh's Decision is more valid and Allâh's Condition is more binding. The right of inheritance belongs only to the one who has set a slave free." [Agreed upon; the version is of Al-Bukhâri]. A version by Muslim has: "Buy her, set her free and make the stipulation that the right to inherit from her will be yours."

بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطاً لَيْسَتْ فِي كِتَابِ اللهِ عَزَّ وَجَلَّ؟ مَا كَانَ مِنْ شَرْطٍ لَيْسَ فِي كِتَابِ اللهِ فَهُوَ بَاطِلٌ، وَإِنْ كَانَ مِائَةَ شَرْطٍ، قَضَاءُ اللهِ أَحَقُّ، وَشَرْطُ اللهِ أَوْثَقُ، وَإِنَّمَا الْوَلاَءُ لِمَنْ أَعْتَقَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ، وَعِنْدَ مُسْلِمٍ قَالَ: «اشْتَرِيهَا، وَأَعْتِقِيهَا، وَاشْتَرِطِي لَهُمُ الْوَلاَءَ».

**658.** Narrated Ibn 'Umar رضي الله عنهما: 'Umar (رضي الله عنه) forbade the sale of the slave-women who have given birth to children[2] (of their owners) and said, "She is not to be sold, bestowed as a gift or inherited; but he (the owner) enjoys her as long as he lives and when he dies, she becomes free." [Reported by Mâlik and Al-Baihaqi].

(٦٥٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى عُمَرُ عَنْ بَيْعِ أُمَّهَاتِ الأَوْلاَدِ، فَقَالَ: لاَ تُبَاعُ، وَلاَ تُوهَبُ، وَلاَ تُورَثُ، يَسْتَمْتِعُ بِهَا مَا بَدَا لَهُ، فَإِذَا مَاتَ فَهِيَ حُرَّةٌ. رَوَاهُ الْبَيْهَقِيُّ وَمَالِكٌ، وَقَالَ: رَفَعَهُ بَعْضُ الرُّوَاةِ فَوَهِمَ.

**659.** Narrated Jâbir رضي الله عنه: We used to sell our slave-women who had borne children when the Prophet صلى الله عليه وسلم was alive and he saw no harm

(٦٥٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نَبِيعُ سَرَارِيَنَا أُمَّهَاتِ الأَوْلاَدِ، وَالنَّبِيُّ

[1] It means that selling of a *Makātab* (a slave or slave-girl who has made a written contract for freedom) is lawful.

[2] *Ummahât-al-Aulâd* (أمهات الأولاد) or *Umm-ul-Walad* (أم الولد) is that slave-girl who bears the child for her master. Such a slave-girl have to stay with her master till his death and after the death of her master she is free. The master's children have no right or claim over her. Whether a master can sell or not the slave-girl after she has given birth to his child, is a controversial issue.

in that. [Reported by An-Nasâ'i, Ibn Mâjah and Ad-Dâraqutni and Ibn Hibbân graded it *Sahih* (sound)].

ﷺ حيٌّ، لا يَرى بذلك بأساً. رَواهُ النَّسائيُّ وَابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**660.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم prohibited the sale of excess water[1]. [Reported by Muslim]. In a version, he added: "And hiring a camel to impregnate a she-camel."

(٦٦٠) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ فَضْلِ الْمَاءِ. رَوَاهُ مُسْلِمٌ، وَزَادَ فِي رِوَايَةٍ: «وَعَنْ بَيْعِ ضِرَابِ الْجَمَلِ».

**661.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade the sale of a stallion's semen. [Reported by Al-Bukhâri].

(٦٦١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ عَسْبِ الْفَحْلِ. رَوَاهُ الْبُخَارِيُّ.

**662.** Narrated (Ibn 'Umar) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade the transaction called '*Habal-al-Habala*'[2] which was one entered into in the *Jahiliya* era, whereby a man bought a she-camel which was to be the offspring of a she-camel which was still in its mother's womb. [Agreed upon, and this version is of Bukhâri].

(٦٦٢) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ بَيْعِ حَبَلِ الْحَبَلَةِ، وَكَانَ بَيْعاً يَتَبَايَعُهُ أَهْلُ الْجَاهِلِيَّةِ، كَانَ الرَّجُلُ يَبْتَاعُ الْجَزُورَ إِلَى أَنْ تُنْتَجَ النَّاقَةُ، ثُمَّ تُنْتَجَ الَّتِي فِي بَطْنِهَا. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**663.** Narrated (Ibn 'Umar) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade selling or giving away the right of inheritance from a freed slave.[3] [Agreed upon].

(٦٦٣) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ بَيْعِ الْوَلَاءِ وَعَنْ هِبَتِهِ. مُتَّفَقٌ عَلَيْهِ.

---

[1] Withholding or selling of surplus water than needed is strictly prohibited; no matter the source of water, a well or spring, is in one's own land or in someone other's. But water stored for personal use can be sold and it is lawful.

[2] There were two forms of this trade. The example of first form is that to buy an offspring of an animal which itself is yet to be born by making the payment in advance. Second form is to sell an animal on condition to have the offspring of the sold animal. Both forms of this kind of trade are prohibited.

[3] *Al-Walâ'* (الولاء) is a right to inherit the property of a freed slave to the person who has freed him. *Hadith* has made it clear that *Walâ'* is a part like a lineage. It cannot be sold or gifted, so selling it or offering it as a gift is prohibited.

**664.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade a transaction determined by throwing stones, and the transaction which involves some uncertainty (or cheating).[1] [Reported by Muslim].

(٦٦٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعِ الْحَصَاةِ، وَعَنْ بَيْعِ الْغَرَرِ. رَوَاهُ مُسْلِمٌ.

**665.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone buys grain he must not sell it till he weighs it." [Reported by Muslim].

(٦٦٥) وَعَنْهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **مَنِ اشْتَرَى طَعَاماً فَلاَ يَبِعْهُ حَتَّى يَكْتَالَهُ**. رَوَاهُ مُسْلِمٌ.

**666.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade two transactions combined in one.[2] [Reported by Ahmad and An-Nasâ'i. At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(٦٦٦) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ عَنْ بَيْعَتَيْنِ فِي بَيْعَةٍ. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

Abû Dâ'ud has: "If anyone makes two transactions combined in one he must confirm that of a lower price, or he is involved in committing usury."[3]

وَلأَبِي دَاوُدَ: «مَنْ بَاعَ بَيْعَتَيْنِ فِي بَيْعَةٍ فَلَهُ أَوْكَسُهُمَا أَوِ الرِّبَا».

**667.** Narrated 'Amr bin Shu'aib on his father's authority from his grand father (رضى الله عنهم): Allâh's Messenger صلى الله عليه وسلم said, "The condition of a loan combined with a sale is not lawful,[4] nor two conditions relating

(٦٦٧) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ عَنْ أَبِيهِ عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لاَ يَحِلُّ سَلَفٌ وَبَيْعٌ، وَلاَ شَرْطَانِ فِي بَيْعٍ، وَلاَ رِبْحُ مَا لاَ يُضْمَنْ، وَلاَ بَيْعُ مَا لَيْسَ عِنْدَكَ**».

[1] "Pebble throwing trade" is another imposture form of a trade. In this trade the seller asks the buyer to throw a pebble; whereupon the pebble drops, that thing is given to the buyer on a pre-fixed price. This form of trade is also prohibited because there is fraud in it. Price of the thing on which the pebble falls may be more or less than the pre-fixed price. There are many forms of this imposture trade and all of them are prohibited. For example, to sell a lost slave or an animal, flying birds or fish in water, etc.

[2] In this form of trade the seller fixes two prices of an article. One price for cash payment and the second price for credit purchase. The extra money to the price of cash payment is an interest, therefore it is unlawful.

[3] The scholars of *Hadith* have disapproved this last version which has Muhammad bin 'Amr as one of its narrators as has been disqualified by more than one *Hadith* scholars.

[4] This trade has two forms. The first form is of a man who sells a horse for one hundred rupees on credit with the condition that the buyer will make the payment in a certain period

to one transaction, nor the profit arising from something which is not in one's charge, nor selling what is not in your possession." [Reported by *Al-Khamsa*. At-Tirmidhi, Ibn Khuzaima and Al-Hâkim graded it *Sahih* (sound)].

رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِي وَابْنُ خُزَيْمَةَ وَالْحَاكِمُ.
وَأَخْرَجَهُ فِي عُلُومِ الْحَدِيثِ، مِنْ رِوَايَةِ أَبِي حَنِيفَةَ، عَنْ عَمْرٍو الْمَذْكُورِ، بِلَفْظِ «نَهَى عَنْ بَيْعٍ وَشَرْطٍ». وَمِنْ هَذَا الْوَجْهِ أَخْرَجَهُ الطَّبَرَانِيُّ فِي الْأَوْسَطِ، وَهُوَ غَرِيبٌ.

**668.** Narrated ('Amr bin Shu'aib on his father's authority from his grand father (رضى الله عنهم): Allâh's Messenger صلى الله عليه وسلم forbade the type of transaction in which earnest money was paid[1]. [Reported by Mâlik, who said, "I was told on the authority of 'Amr bin Shu'aib that" i.e., the aforesaid *Hadîth*].

(٦٦٨) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ الْعُرْبَانِ. رَوَاهُ مَالِكٌ، قَالَ: بَلَغَنِي عَنْ عَمْرِو بْنِ شُعَيْبٍ بِهِ.

**669.** Narrated Ibn 'Umar (رضى الله عنهما): I bought some oil in the market and when I came to receive it, a man met me and offered to give me good profit for it; and when I was about to seize the price from him, a man caught hold of my hand from behind. So I turned and found that he was Zaid bin Thâbit (رضى الله عنه). He said, "Do not sell it in the place where you have bought it from, till you take it to your dwelling; for Allâh's Messenger صلى الله عليه وسلم forbade the commodities to be sold on

(٦٦٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: ابْتَعْتُ زَيْتاً فِي السُّوقِ، فَلَمَّا اسْتَوْجَبْتُهُ لَقِيَنِي رَجُلٌ فَأَعْطَانِي بِهِ رِبْحاً حَسَناً، فَأَرَدْتُ أَنْ أَضْرِبَ عَلَى يَدِ الرَّجُلِ، فَأَخَذَ رَجُلٌ مِنْ خَلْفِي بِذِرَاعِي فَالْتَفَتُّ فَإِذَا هُوَ زَيْدُ بْنُ ثَابِتٍ، فَقَالَ: لَا تَبِعْهُ حَيْثُ ابْتَعْتَهُ، حَتَّى تَحُوزَهُ إِلَى رَحْلِكَ، فَإِنَّ رَسُولَ اللهِ ﷺ نَهَى أَنْ تُبَاعَ السِّلَعُ حَيْثُ تُبْتَاعُ، حَتَّى

---

of time. If the buyer is unable to make the payment within the fixed time, than the seller purchases the horse back for fifty rupees and makes him indebted for the balance fifty rupees. This is unlawful. The second form of this trade is that a house valued twelve thousand, is sold to someone for ten thousand rupees with the condition that the buyer would lend two thousand rupees to the seller.

[1] *'Urbân* (عربان) means earnest money. If somebody settles the price of an animal and pays a certain amount as earnest money that if he did not buy this animal, the seller will keep the earnest money and in case the deal is accomplished, the buyer will deduct the earnest money from the price paid. It is prohibited.

يَحُوزَهَا التُّجَّارُ إِلَى رِحَالِهِمْ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

the spot where they were bought from, till the traders take them to their dwellings."[1] [Reported by Ahmad and Abû Dâ'ud; the version is of the latter; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(٦٧٠) وَعَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي أَبِيعُ الإِبِلَ بِالْبَقِيعِ فَأَبِيعُ بِالدَّنَانِيرِ، وَآخُذُ الدَّرَاهِمَ، وَأَبِيعُ بِالدَّرَاهِمِ، وَآخُذُ الدَّنَانِيرَ، آخُذُ هٰذَا مِنْ هٰذِهِ، وَأُعْطِي هٰذِهِ مِنْ هٰذَا، فَقَالَ رَسُولُ اللهِ ﷺ: «**لَا بَأْسَ أَنْ تَأْخُذَهَا بِسِعْرِ يَوْمِهَا مَا لَمْ تَتَفَرَّقَا وَبَيْنَكُمَا شَيْءٌ**». رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ الْحَاكِمُ.

**670.** Narrated (Ibn 'Umar) رضي الله عنهما: I said, "O Allâh's Messenger, I sell camels at Al-Baqi'. I sell for Dinars and take Dirhams (for them), and sell for Dirhams, and take Dinars (for them), I take this for that and give that for this." Allâh's Messenger صلى الله عليه وسلم replied, "There is no harm in taking them at the current rate[2] so long as you do not separate leaving something still to be settled." [Reported by *Al-Khamsa* and Al-Hâkim graded it *Sahih* (sound)].

(٦٧١) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ النَّجْشِ. مُتَّفَقٌ عَلَيْهِ.

**671.** Narrated (Ibn 'Umar) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade bidding against one another.[3] [Agreed upon].

(٦٧٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ نَهَى عَنِ الْمُحَاقَلَةِ، وَالْمُزَابَنَةِ، وَالْمُخَابَرَةِ، وَعَنِ الثُّنْيَا،

**672.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: The Prophet صلى الله عليه وسلم forbade *Muhâqala*[4], *Muzâbana*[5], and *Mukhâbara*[6]. He also forbade

---

[1] It means that an article bought at a place should not be sold on that very place without having its possession.

[2] Coinage of Dirham (درهم) is of silver and the coinage of Dinar (دينار) is of gold. Exchange of Dinar and Dirham and vice versa is legal, provided the exchange is concluded at the rate of the day. This trade is named as the 'trade of exchange.'

[3] *Najsh* (النجش) means making a bid merely to raise the price of an article by not a genuine bidder.

[4] *Muhâqala* (المحاقلة) is selling unharvested grain in the field with an already harvested grain like wheat.

[5] *Muzâbana* (المزابنة) is to exchange the fruit which is still on the tree with the dry fruit. This is not correct.

[6] *Mukhâbara* (المخابرة) is renting land for a half or a third of its produce. This transaction is allowed in principle and even the Prophet صلى الله عليه وسلم practised it with the Jews of Khaibar.

*Thunya*[1] making an exception unless it was explicit. [Reported by *Al-Khamsa* excluding Ibn Mâjah; At-Tirmidhi graded it *Sahih* (sound)].

إِلاَّ أَنْ تُعْلَمَ. رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَهْ، وَصَحَّحَهُ التِّرمِذِيُّ.

**673.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade *Muhâqala*, *Mukhâdara*[2], *Mulâmasa*[3], *Munâbadha*[4] and *Muzâbana*. [Reported by Al-Bukhâri].

(٦٧٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْمُحَاقَلَةِ، وَالْمُخَاضَرَةِ، وَالْمُلاَمَسَةِ، وَالْمُنَابَذَةِ، وَالْمُزَابَنَةِ. رَوَاهُ الْبُخَارِيُّ.

**674.** Narrated Tawus[5] from Ibn 'Abbâs رضي الله عنهما, Allâh's Messenger صلى الله عليه وسلم said, "Do not go out to meet riders (to conduct business with them),[6] and a towner must not sell for a man from the desert." I asked

(٦٧٤) وَعَنْ طَاوُسٍ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَلَقَّوُا الرُّكْبَانَ، وَلاَ يَبِيعُ حَاضِرٌ لِبَادٍ»، قُلْتُ لابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى

---

But what this *Hadîth* forbids is specifying the produce of a certain portion of the land belonging to the owner and the other portion to the tenant which involved a lot of conflicts between the land owners and the tenants when the crops of the owner's portion failed and the tenants produced or vice-versa. However, there is no harm if both parties agree to share the whole produce according to fixed percentages.

[1] *Thunya* (ثنيا) is also a kind of trade in which a person sells the fruit of his garden still on trees for a certain price but on condition that he will keep some of its fruit. This is unlawful because 'some' is not a fixed measure, and it is fraudulent.

[2] The buying of a raw crop before it is ready to be reaped is *Mukhâdara* (المخاضرة).

[3] *Mulâmasa* (الملامسة) is a buy for pre-fixed price with closed eyes or in darkness just by the first touch of hand. For instance, a man goes to a cloth merchant and proposes him to buy a roll of cloth for a pre-fixed price on the condition that he will close his eyes and will go to touch the rolls, whatever the roll will come under his first touch, he will have it. This kind of trade is prohibited.

[4] *Munâbadha* (المنابذة) is to throw the roll of cloth in darkness to each other, and to accept whatever the catch is without seeing the goods.

[5] He is Abû 'Abdur-Rahmân Tawus bin Kisân Al-Farisi and a manumitted slave of Al-Himyar. His name was Dhakwân and Tawus was his nickname. He was a reliable virtuous *Fiqh* scholar and a *Tabi'i* of the third grade. He said, "I met 50 of the *Sahâba* alive." Ibn 'Abbâs said, "I think Tawus will enter Paradise." And 'Amr bin Dinâr said, "I never saw someone like him." He died in 106 H.

[6] Receiving the trade caravans out of town with the mala fide intention of buying their goods at less price and keeping them unaware of the market price of their merchandise is prohibited. The caravans should be allowed to reach the trade centre and know the rate of the market. Prior to this, buying and selling is prohibited. If somebody makes such a deal, and the seller comes to know that he has been tricked, he has the option to cancel the deal.

Ibn 'Abbâs رضي الله عنهما, "What did he mean by 'A towner must not sell for a man from the desert.'" He replied, "He should not act as a broker for him." [Agreed upon; the version is of Al-Bukhâri].

عنهما: ما قَوْلُهُ ﷺ لا يَبِيعُ حَاضِرٌ لِبَادٍ؟ قَالَ: لاَ يَكُونُ لَهُ سِمْسَاراً. مُتَّفَقٌ عَلَيْهِ وَاللَّفْظُ لِلْبُخَارِيِّ.

675. Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not go out to meet what is being brought (to market for sale). If anyone has met so and some of it is bought, when its owner comes to the market he has the choice (of cancelling the deal)." [Reported by Muslim].

(٦٧٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَلَقَّوُا الْجَلَبَ، فَمَنْ تُلُقِّيَ فَاشْتُرِيَ مِنْهُ فَإِذَا أَتَى سَيِّدُهُ السُّوقَ فَهُوَ بِالْخِيَارِ». رَوَاهُ مُسْلِمٌ.

676. Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade, a towner to sell for a man from the desert; one to bid against another;[1] a man to buy in opposition to his brother, to propose a woman after his brother has done so, or a woman to ask to have her sister divorced in order to deprive her of what belongs to her.[2] [Agreed upon]. Muslim has: "A Muslim must not offer a price above that offered[3] by another Muslim."

(٦٧٦) وَعَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ، وَلاَ تَنَاجَشُوا، وَلاَ يَبِيعُ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ، وَلاَ يَخْطُبُ عَلَى خِطْبَةِ أَخِيهِ، وَلاَ تَسْأَلُ الْمَرْأَةُ طَلاَقَ أُخْتِهَا، لِتَكْفَأَ مَا فِي إِنَائِهَا. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: «لاَ يَسُومُ الْمُسْلِمُ عَلَى سَوْمِ أَخِيهِ».

677. Narrated Abû Ayub Al-Ansâri رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "If anyone

(٦٧٧) وَعَنْ أَبِي أَيُّوبَ الأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ

[1] *Najsh* (النجش) has been explained before, another explanation of the word is that if someone buys something from a shopkeeper, the other shopkeeper is not allowed to allure him to sell his own goods at less price.

[2] It is not allowed to a woman to create hatred between a husband and wife and become the cause of divorce and then to marry herself with the man. Similarly, it is also unlawful to marry one's daughter or sister or any other relation to a man by compelling him to divorce the first wife.

[3] For example, someone sold something for one rupee and the deal is over, another person is not allowed to seduce the seller not to sell his thing in one rupee, as he will pay him one and a quarter for that thing. In case of an auction, bidding is allowed.

separates a mother from her child, Allâh will separate him from his beloved ones on the Day of Resurrection." [Reported by Ahmad; At-Tirmidhi and Al-Hâkim graded it *Sahih* (sound)].

ﷺ يَقُولُ: «مَنْ فَرَّقَ بَيْنَ وَالِدَةٍ وَوَلَدِهَا فَرَّقَ اللَّهُ بَيْنَهُ وَبَيْنَ أَحِبَّتِهِ يَوْمَ الْقِيَامَةِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالْحَاكِمُ، لَكِنْ فِي إِسْنَادِهِ مَقَالٌ، وَلَه شَاهِدٌ.

**678.** Narrated 'Ali bin Abû Tâlib رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم commanded me to sell two youths who were brothers. I sold them and separated between them. When I made mention of that to the Prophet صلى الله عليه وسلم, he said, "Find them out and get them back;[1] and do not sell them but together." [Reported by Ahmad] And the narrators of this version are reliable, and indeed Ibn Khuzaima, Ibn Al-Jârud, Ibn Hibbân, Al-Hâkim, At-Tabarâni and Ibn Qattân graded it *Sahih* (sound).

(٦٧٨) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنِي رَسُولُ اللهِ ﷺ أَنْ أَبِيعَ غُلاَمَيْنِ أَخَوَيْنِ، فَبِعْتُهُمَا، فَفَرَّقْتُ بَيْنَهُمَا، فَذَكَرْتُ ذٰلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ: «**أَدْرِكْهُمَا فَارْتَجِعْهُمَا، وَلاَ تَبِعْهُمَا إِلاَّ جَمِيعاً**». رَوَاهُ أَحْمَدُ، وَرِجَالُهُ ثِقَاتٌ، وَقَدْ صَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ وَالْحَاكِمُ وَالطَّبَرَانِيُّ وَابْنُ الْقَطَّانِ.

**679.** Narrated Anas bin Mâlik رضي الله عنه: When prices were high in Al-Madîna in the time of Allâh's Messenger صلى الله عليه وسلم, the people said, "O Allâh's Messenger, prices have become high, so fix them for us". Allâh's Messenger صلى الله عليه وسلم replied, "Allâh is the One Who fixes prices, Who withholds, gives lavishly and provides,[2] and I hope that when I meet Allâh the Most High, none of you will have any claim on me for an injustice regarding blood or property." [Reported by *Al-Khamsa*

(٦٧٩) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَلاَ السِّعْرُ فِي الْمَدِينَةِ عَلَى عَهْدِ رَسُولِ اللهِ فقال النَّاسُ: يا رسولَ الله! غَلاَ السِّعرُ، فَسَعِّرْ لَنَا، فَقَالَ رَسُولُ اللهِ ﷺ: «**إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ الْقَابِضُ الْبَاسِطُ الرَّازِقُ، وَإِنِّي لأَرْجُو أَنْ أَلْقَى اللَّهَ تَعَالَى وَلَيْسَ أَحَدٌ مِنكُمْ يَطْلُبُنِي بِمَظْلَمَةٍ فِي دَمٍ وَلاَ مَالٍ**». رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

[1] The foregoing *Hadîth* only tells that creating separation is not permitted. This *Hadîth* makes it clear that if such business is conducted it stands cancelled.

[2] This *Hadîth* indicates that controlling of price is prohibited because it causes loss to businessmen on one side, and on the other it creates a made-up famine. Bare necessities of life become scarce and many vices erupt from it.

excluding An-Nasâ'i; Ibn Hibbân graded it *Sahih* (sound)].

**680.** Narrated Ma'mar bin 'Abdullâh[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "None keeps goods till the price rises[2] but a sinner." [Reported by Muslim].

(٦٨٠) وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللهِ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، عَنْ رَسُولِ اللهِ ﷺ، قَالَ: «لاَ يَحْتَكِرُ إِلاَّ خَاطِىءٌ». رَوَاهُ مُسْلِمٌ.

**681.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Do not tie up the udders of camels and goats, for he who buys them after that (has been done) has two choices open to him after milking them: he may keep them if he wishes, or may return them along with one *Sâ'* of dates." [Agreed upon]. Muslim has: "He has three days[3] in which to decide whether to keep them or not."[4] A version by Muslim which Al-Bukhâri termed as *Mu'llaq* has: "He must return with it one *Sâ'* of any grain but wheat." [Al-Bukhâri said, "One *Sâ'* of any dates" is mentioned in most *Ahadith*].

(٦٨١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «لاَ تُصَرُّوا الإِبِلَ وَالْغَنَمَ، فَمَنِ ابْتَاعَهَا بَعْدُ فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَحْلُبَهَا، إِنْ شَاءَ أَمْسَكَهَا، وَإِنْ شَاءَ رَدَّهَا وَصَاعاً مِنْ تَمْرٍ». مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: فَهُوَ بِالْخِيَارِ ثَلاَثَةَ أَيَّامٍ. وَفِي رِوَايَةٍ لَهُ عَلَّقَهَا الْبُخَارِيُّ: «وَرَدَّ مَعَهَا صَاعاً مِنْ طَعَامٍ لاَ سَمْرَاءَ». قَالَ الْبُخَارِيُّ: وَالتَّمْرُ أَكْثَرُ.

**682.** Narrated Ibn Mas'ûd رضي الله عنه: If anyone buys a goat whose udder has

(٦٨٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللّٰهُ

[1] Ma'mar bin 'Abdullâh bin Nâfi' bin Nadla bin Harthân Al-'Adawi, who was the son of Abû Ma'mar, was a senior *Sahâbi* who had become a Muslim early and migrated to Abyssinia (Ethiopia). His migration to Al-Madîna was delayed, then he migrated to it and settled there.

[2] *Ihtikâr* (الاحتكار) means a planned hoarding of something for future profit. *Ihtikâr* is prohibited and unlawful as it creates artificial scarcity of essential foodstuff.

[3] In the mentioned *Hadith*, three days have been prescribed because at least three days are required to prove that real fact (to assess the actual quantity of milk in the udder), some times fodder and change of place is also a cause in increase of milk. If the milk is suspended in the udder for personal need and not for sale, it is permissible. Anyhow, suspension of milk in the udder hurts the animal.

[4] It means that if the buyer senses something wrong with the deal, he can return it within three days. If the purchase is a dairy cattle, it should be returned with a *Sa'* (2.6 kg) of any kind of grains, not particularly of dates only.

been tied up and he returned it, he must return with it one *Sâ*'. [Reported by Al-Bukhâri]. Al-Isma'ili added: "of dates."

تَعَالَى عَنْهُ قَالَ: مَنِ اشْتَرَى شَاةً مُحَفَّلَةً فَرَدَّهَا فَلْيَرُدَّ مَعَهَا صَاعاً. رَوَاهُ الْبُخَارِيُّ، وَزَادَ الإِسْمَاعِيلِيُّ: «مِنْ تَمْرٍ».

**683.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم once came upon a heap of grain, and when he put his hand inside it, his fingers felt some dampness, so he asked the owner of the grain, "What is this, O owner of the grain?" He replied, "Rain had fallen on it, O Allâh's Messenger." He said, "Why did you not put it (the damp part) on the top of the foodstuff so that people might see it? He who deceives has nothing to do with me."[1] [Reported by Muslim].

(٦٨٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ مَرَّ عَلَى صُبْرَةٍ مِنْ طَعَامٍ، فَأَدْخَلَ يَدَهُ فِيهَا، فَنَالَتْ أَصَابِعُهُ بَلَلاً، فَقَالَ: **مَا هٰذَا؟ يَا صَاحِبَ الطَّعَامِ!** قَالَ: أَصَابَتْهُ السَّمَاءُ، يَا رَسُولَ اللهِ! قَالَ: «**أَفَلاَ جَعَلْتَهُ فَوْقَ الطَّعَامِ، كَيْ يَرَاهُ النَّاسُ، مَنْ غَشَّ فَلَيْسَ مِنِّي**». رَوَاهُ مُسْلِمٌ.

**684.** Narrated 'Abdullâh bin Buraida on his father's authority رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Whoever hoards grapes in the vintage season till he sells them to those who get wine out of them, has hastily thrown himself into Hell-fire with clear knowledge."[2] [At-Tabarâni reported it in *Al-Awsat* with a good chain of narrators]

(٦٨٤) وَعَنْ عَبْدِ اللهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ حَبَسَ الْعِنَبَ أَيَّامَ الْقِطَافِ، حَتَّى يَبِيعَهُ مِمَّنْ يَتَّخِذُهُ خَمْراً، فَقَدْ تَقَحَّمَ النَّارَ عَلَى بَصِيرَةٍ**». رَوَاهُ الطَّبَرَانِيُّ فِي الأَوْسَطِ بِإِسْنَادٍ حَسَنٍ.

**685.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Any profit goes to the one who bears responsibility."[3] [Reported by

(٦٨٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**الْخَرَاجُ**

---

[1] It means that cheating is a prohibition. This *Hadith* means that the act of cheating is not worthy of my people: "He behaved the way of infidels" It does not mean that he is infidel.

[2] It is prohibited to sell the grapes to a liquor producer. Extending any kind of help or assistance to malefactor is a prohibition. Qur'ân orders to help in good deeds and prohibits from extending any kind of assistance to sinful and bad actions.

[3] It means that till the return time (the time given to return the purchase if not needed) profit and loss goes to buyer. Suppose the purchase is an animal and further suppose that it dies

*Al-Khamsa*; Al-Bukhâri and Abû Dâ'ud graded it *Da'if*. At-Tirmidhi, Ibn Khuzaima, Ibn Al-Jârud, Ibn Hibbân, Al-Hâkim and Ibn Al-Qattân graded it *Sahih* (sound)].

بِالضَّمَانِ». رَوَاهُ الْخَمْسَةُ، وَضَعَّفَهُ الْبُخَارِيُّ وَأَبُو دَاوُدَ؛ وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ وَالْحَاكِمُ وَابْنُ الْقَطَّانِ.

**686.** Narrated 'Urwa Al-Bâriqi[1] رضي الله عنه: The Prophet صلى الله عليه وسلم gave him a Dinar to buy a sacrifice or a goat. He bought two goats with it, sold one of them for a Dinar and brought him a goat and a Dinar. So he invoked a blessing on him in his business dealings,[2] and he was such that if he had bought dust he would have made a profit from it. [Reported by *Al-Khamsa* except An-Nasâ'i; Al-Bukhâri also recorded it within another *Hadîth* and did not report its version].

(٦٨٦) وَعَنْ عُرْوَةَ الْبَارِقِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَعْطَاهُ دِينَاراً لِيَشْتَرِيَ بِهِ أُضْحِيَّةً أَوْ شَاةً، فَاشْتَرَى بِهِ شَاتَيْنِ، فَبَاعَ إِحْدَاهُمَا بِدِينَارٍ، فَأَتَاهُ بِشَاةٍ وَدِينَارٍ، فَدَعَا لَهُ بِالْبَرَكَةِ فِي بَيْعِهِ، فَكَانَ لَوِ اشْتَرَى تُرَاباً لَرَبِحَ فِيهِ. رَوَاهُ الْخَمْسَةُ إِلاَّ النَّسَائِيَّ، وَقَدْ أَخْرَجَهُ الْبُخَارِيُّ فِي ضِمْنِ حَدِيثٍ، وَلَمْ يَسُقْ لَفْظَهُ، وَأَوْرَدَ التِّرْمِذِيُّ لَهُ شَاهِداً مِنْ حَدِيثِ حَكِيمِ بْنِ حِزَامٍ.

**687.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم forbade buying what is in the wombs of domestic animals till they give birth, or selling what is in their udders, buying a runaway slave, buying booties before they are divided, buying *Sadaqât* before they

(٦٨٧) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ شِرَاءِ مَا فِي بُطُونِ الْأَنْعَامِ حَتَّى تَضَعَ، وَعَنْ بَيْعِ مَا فِي ضُرُوعِهَا، وَعَنْ شِرَاءِ الْعَبْدِ وَهُوَ آبِقٌ، وَعَنْ شِرَاءِ الْمَغَانِمِ حَتَّى تُقْسَمَ، وَعَنْ شِرَاءِ

---

within the period agreed for its return, than the loss goes to the buyer. In the same way, if the animal is sold out for higher price, the profit will also go to the buyer.

[1] He is Ibn Ja'ad or Ibn Abû Ja'ad and it is said that his father was called 'Iyâd Al-Bâriqi, a sub-clan of the tribe of Azd who is Bâriq bin 'Adi bin Hâritha. He was called Bâriq because he settled on a mountain called Bâriq. 'Urwa was a *Sahâbi* who served 'Umar as the *Qadi* of Kufa, settling there and his *Ahadîth* were narrated by the people of Kufa.

[2] This *Hadîth* makes clear four things:
i) That the attorney is empowered to operate the wealth of his trustee.
ii) That with the consent and approval of another person his property and goods can be sold.
iii) That it is permissible to sell away a sacrificial animal and buy another in its place, but this trade should not be for the purpose of profit, and if there is any profit in this business, it should be given in charity.
iv) That kindness is always thankworthy.

are received and the lucky stroke of a diver.[1] [Ibn Mâjah, Al-Bazzâr and Ad-Dâraqutni reported it with a weak *Isnâd*].

الصَّدَقَاتِ حَتَّى تُقْبَضَ، وَعَنْ ضَرْبَةِ الْغَائِصِ. رَوَاهُ ابْنُ مَاجَهْ وَالْبَزَّارُ وَالدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**688.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not buy fish which is in the water, for it involves uncertainty." [Reported by Ahmad who said it is correctly *Mawqûf* (untraceable)].

(٦٨٨) وَعَنْ أَبِي مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«لَا تَشْتَرُوا السَّمَكَ فِي الْمَاءِ، فَإِنَّهُ غَرَرٌ»**. رَوَاهُ أَحْمَدُ، وَأَشَارَ إِلَى أَنَّ الصَّوَابَ وَقْفُهُ.

**689.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade the selling of a fruit till it becomes ripe, or the selling of fur which is (still) on the back (of an animal) or milk which is (still) in the udder.[2] [Reported by At-Tabarâni in *Al-Awsat*. Ad-Dâraqutni reported it too. Abû Dâ'ud reported in the *Marasil* of 'Ikrima and Al-Baihaqi endorsed it].

(٦٨٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ تُبَاعَ ثَمَرَةٌ حَتَّى تُطْعِمَ، وَلَا يُبَاعُ صُوفٌ عَلَى ظَهْرٍ، وَلَا لَبَنٌ فِي ضَرْعٍ. رَوَاهُ الطَّبَرَانِيُّ فِي الْأَوْسَطِ وَالدَّارَقُطْنِيُّ، وَأَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ لِعِكْرِمَةَ، وَهُوَ الرَّاجِحُ، وَأَخْرَجَهُ أَيْضاً مَوْقُوفاً عَلَى ابْنِ عَبَّاسٍ، بِإِسْنَادٍ قَوِيٍّ. وَرَجَّحَهُ الْبَيْهَقِيُّ.

**690.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم forbade the sale of what is in the womb of a domestic animal or the semen that is

(٦٩٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ

---

[1] Six kinds of prohibited trade have been mentioned in this *Hadîth* and the causes of their unlawfulness are various. These six kinds have been explicitly stated in *Ahâdîth*. Unlawfulness of first two is unanimous because there is cheating in them. Third is unlawful because the return or find out of the run away slave is not certain. Fourth is unlawful because it is not the property of the seller. Fifth is unlawful because it is not in possession and sixth is unlawful because there is no surety that the diver will get something or not.

[2] In this *Hadîth* three unlawful kinds of trade are mentioned. First is that the unripe fruit, still on trees should not be sold because there is a chance of their damage till they are ripe. The second point is that the trees are the property of the seller and their fuit is the property of the buyer. Their longtime partnership may not last long. Other two kinds are to sell the wool of sheep or goat before it is shaved and the milk of an animal still in the udder. These are unlawful because the quantity of wool and milk is not known, so this is a sort of gambling.

in the body of a stallion.[1] [Reported by Al-Bazzâr and there is weakness in its *Isnâd* ]

الْمَضَامِينِ والمَلاقيحِ. رَوَاهُ الْبَزَّارُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

**691.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever accepts back what he had sold to a Muslim, Allâh will forgive his fault."[2] [Reported by Abû Dâ'ud and Ibn Mâjah and authenticated by Ibn Hibbân and Al-Hâkim].

(٦٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَقَالَ مُسْلِماً بَيْعَتَهُ أَقَالَ اللَّهُ عَثْرَتَهُ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

## Chapter 2
## CONDITIONAL BARGAINS

## ٢ - بَابُ الْخِيَارِ

**692.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Both parties in a business transaction have a right to annul the bargain,[3] so long as they have not separated and are together; or one of them tells the other to exercise his right and he does it, then they make the bargain according to that, the transaction becomes then binding; or when they separate after having made the bargain and none of them has annulled it, the bargain becomes then

(٦٩٢) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «إِذَا ابْتَاعَ رَجُلَانِ فَكُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا وَكَانَا جَمِيعاً، أَوْ يُخَيِّرُ أَحَدُهُمَا الْآخَرَ، فَإِنْ خَيَّرَ أَحَدُهُمَا الْآخَرَ فَتَبَايَعَا عَلَى ذَلِكَ فَقَدْ وَجَبَ الْبَيْعُ، وَإِنْ تَفَرَّقَا بَعْدَ أَنْ تَبَايَعَا وَلَمْ يَتْرُكْ وَاحِدٌ مِنْهُمَا الْبَيْعَ فَقَدْ وَجَبَ الْبَيْعُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

---

[1] *Madâmîn* (المضامين) means those offsprings which are not yet born and are still in mother's womb. *Malâqîh* (الملاقيح) means those offsprings which are still in father's spine.

[2] If it is already agreed that the merchandise can be returned, then the buyer has full right to return it, but if it is not agreed before and the buyer wishes to return it, in this situation whoever takes back the merchandise Allâh will forgive his sins.

[3] *Ikhtiyâr* or *Khiyâr* (الاختيار أو الخيار) means to reserve the right of breach of contract. This is of many kinds:

i) *Khiyâr Majlis* (خيار المجلس): As long as buyer and seller are together, each of them has the right to reject or accept the deal.

ii) *Khiyâr Shart* (خيار الشرط): Buyer and seller make it conditional that in a certain period, either side has the right to reject or accept it.

iii) *Khiyâr 'Aib* (خيار العيب): Buyer says that if merchandise is defective, he will return it.

iv) *Khiyâr Ru'yat* (خيار الرؤية): Buyer accomplishes the deal conditionally that it will be effective after seeing the goods.

v) *Khiyâr Tai'yin* (خيار التعيين): It means that the buyer is allowed to select his choice.

binding." [Agreed upon, and the version is of Muslim].

**693.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (رضي الله عنهم): The Prophet صلى الله عليه وسلم said, "The two parties in a business transaction have a right to annul it so long as they have not separated unless it is a bargain with the right to annul it, attached to it; and one has not the right to separate from the other for fear that he may demand that the bargain be rescinded." [Reported by *Al-Khamsa* except Ibn Mâjah, Ad-Dâraqutni, Ibn Khuzaima and Ibn Al-Jârud reported it too]. Another version has: "till they separate at their place (of transaction)."

(٦٩٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ عَنْ جَدِّهِ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**الْبَائِعُ وَالْمُبْتَاعُ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا، إِلاَّ أَنْ تَكُونَ صَفْقَةَ خِيَارٍ، وَلاَ يَحِلُّ لَهُ أَنْ يُفَارِقَهُ خَشْيَةَ أَنْ يَسْتَقِيلَهُ**». رَوَاهُ الْخَمْسَةُ إِلاَّ ابْنَ مَاجَه، وَرَوَاهُ الدَّارَقُطْنِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ، وَفِي رِوَايَةٍ: «**حَتَّى يَتَفَرَّقَا مِن مَّكَانِهِمَا**».

**694.** Narrated Ibn 'Umar رضي الله عنهما: A man[1] told Allâh's Messenger صلى الله عليه وسلم that he was being deceived in business transactions, and he replied, "When you make a bargain say, 'Deceiving is not allowed (in the religion)' " [Agreed upon].

(٦٩٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: ذَكَرَ رَجُلٌ لِرَسُولِ اللهِ ﷺ أَنَّهُ يُخْدَعُ فِي الْبُيُوعِ، فَقَالَ: «**إِذَا بَايَعْتَ فَقُلْ: لاَ خِلاَبَةَ**». مُتَّفَقٌ عَلَيْهِ.

## Chapter 3
## *AR-RIBA* (USURY)

## ٣ - بَابُ الرِّبَا

**695.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم cursed the one who accepts usury, the one who gives it, the one who records it and the two witnesses to it, saying, "They are all the same."[2] [Reported by Muslim].

(٦٩٥) عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ آكِلَ الرِّبَا وَمُؤْكِلَهُ وَكَاتِبَهُ وَشَاهِدَيْهِ، وَقَالَ: **هُمْ سَوَآءٌ**. رَوَاهُ مُسْلِمٌ، وَلِلْبُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ أَبِي جُحَيْفَةَ.

[1] His name was Habbân bin Munqadh. Due to an injury in the head, his memory was weakened and people usually deceived him in business, so the Prophet صلى الله عليه وسلم taught him these words.

[2] Interest (usury) is unlawful according to clear and definite verses of the noble Qur'ân. It is agreed upon that whoever gives the loan on interest, whoever borrows it, whoever writes the paper of deal and whoever is witness in this deal, all are cursed.

Al-Bukhâri reported something similar from Abû Juhaifa's *Hadîth*.

**696.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Usury has seventy-three categories, the least one in sin is as that of a man who marries his mother, and the very essence of usury is the violation of the honour of a male Muslim." [Ibn Mâjah reported it in a short form and Al-Hâkim in a complete one. The latter also graded it *Sahih* (sound)].

(٦٩٦) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «الرِّبَا ثَلَاثَةٌ وَسَبْعُونَ بَاباً، أَيْسَرُهَا مِثْلُ أَنْ يَنْكِحَ الرَّجُلُ أُمَّهُ، وَإِنَّ أَرْبَى الرِّبَا عِرْضُ الرَّجُلِ الْمُسلِمِ». رَوَاهُ ابْنُ مَاجَهْ مُخْتَصَراً، وَالْحَاكِمُ بِتَمَامِهِ، وَصَحَّحَهُ.

**697.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Do not sell gold for gold unless it is same amount for the same as amount, and do not make one amount greater than the other, do not sell silver for silver unless it is same amount and do not make one amount greater than the other, and do not sell for ready money some of it to be given later." [Agreed upon].

(٦٩٧) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا مِثْلاً بِمِثْلٍ، وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا الْوَرِقَ بِالْوَرِقِ إِلَّا مِثْلاً بِمِثْلٍ، وَلَا تُشِفُّوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا مِنْهَا غَائِباً بِنَاجِزٍ». مُتَّفَقٌ عَلَيْهِ.

**698.** Narrated 'Ubâda bin As-Sâmit رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Gold is to be paid for with gold, silver with silver, wheat with wheat, barley with barley, dates with dates, and salt with salt, same quantity for same quantity and equal for equal, payment being made on the spot.[1] If these classes differ, sell as

(٦٩٨) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ، وَالْفِضَّةُ بِالْفِضَّةِ، وَالْبُرُّ بِالْبُرِّ، وَالشَّعِيرُ بِالشَّعِيرِ، وَالتَّمْرُ بِالتَّمْرِ، وَالْمِلْحُ بِالْمِلْحِ، مِثْلاً بِمِثْلٍ، سَوَاءً بِسَوَاءٍ، يَداً بِيَدٍ، فَإِذَا اخْتَلَفَتْ هَذِهِ الْأَصْنَافُ فَبِيعُوا

[1] The items which the Prophet صلى الله عليه وسلم has counted are: gold, silver, wheat, barley and dates. There is no decrease or increase in the barter of these items. For example, a man has good quality of wheat and the other has inferior quality. It is not permissible to exchange 20 kg. of good quality wheat with that of 30 kg. of inferior quality. If at all someone wishes to exchange the quality of his wheat with the other, he should sell this and buy the other quality with the money. Direct barter with increase or decrease is not allowed. Some religious scholars approve increase or decrease in the same kind other than these six items, but the four *Imâm* do not approve this exchange even the kind and affinity be the same.

you wish if payment is made on the spot." [Reported by Muslim].

كَيفَ شِئتُم، إِذَا كَانَ يَداً بِيَدٍ». رَوَاهُ مُسْلِمٌ.

**699.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Gold is to be paid for with gold, both being of equal weight and of same quantities; silver is to be paid for with silver, both being of equal weight and of same quantities. If anyone gives more or asks for more of it, it is then usury." [Reported by Muslim].

(٦٩٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«الذَّهَبُ بِالذَّهَبِ وَزْناً بِوَزْنٍ، مِثْلاً بِمِثْلٍ، وَالْفِضَّةُ بِالْفِضَّةِ وَزْناً بِوَزْنٍ، مِثْلاً بِمِثْلٍ، فَمَنْ زَادَ أَوْ اسْتَزَادَ فَهُوَ رِباً»**. رَوَاهُ مُسْلِمٌ.

**700.** Narrated Abû Sa'îd Al-Khudri and Abû Huraira رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم appointed a man over Khaibar and he brought him dates of a very fine quality. Allâh's Messenger صلى الله عليه وسلم asked, "Are all the dates of Khaibar like this?" He replied, "I swear by Allâh that they are certainly not, O Allâh's Messenger. We take one *Sâ'* of this kind for two, and even for three. So Allâh's Messenger صلى الله عليه وسلم said, "Do not do so. Sell the mixed dates for Dirhams, then buy the very fine dates with the Dirhams." And he said that the same applies when things are sold by weight. [Agreed upon]. Muslim has: "and so is the weight."

(٧٠٠) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ وَأَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ اسْتَعْمَلَ رَجُلاً عَلَى خَيْبَرَ، فَجَاءَهُ بِتَمْرٍ جَنِيبٍ، فَقَالَ رَسُولُ اللهِ ﷺ: **«أَكُلُّ تَمْرِ خَيْبَرَ هَكَذَا؟»** فَقَالَ: لَا، وَاللهِ، يَا رَسُولَ اللهِ! إِنَّا لَنَأْخُذُ الصَّاعَ مِنْ هَذَا بِالصَّاعَيْنِ، وَالثَّلَاثَةِ، فَقَالَ رَسُولُ اللهِ ﷺ: **«لَا تَفْعَلْ، بِعِ الْجَمْعَ بِالدَّرَاهِمِ، ثُمَّ ابْتَعْ بِالدَّرَاهِمِ جَنِيباً»**، وَقَالَ فِي الْمِيزَانِ مِثْلَ ذَلِكَ. مُتَّفَقٌ عَلَيْهِ، وَلِمُسْلِمٍ: **«وَكَذَلِكَ الْمِيزَانُ»**.

**701.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade selling a quantity of dates whose measure was unknown for a specific quantity of dates.[1] [Reported by Muslim].

(٧٠١) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ الصُّبْرَةِ مِنَ التَّمْرِ لَا يُعْلَمُ مَكِيلُهَا بِالْكَيْلِ الْمُسَمَّى مِنَ التَّمْرِ. رَوَاهُ مُسْلِمٌ.

**702.** Narrated Ma'mar bin 'Abdullâh رضي الله عنه: I used to hear Allâh's

(٧٠٢) وَعَنْ مَعْمَرِ بْنِ عَبْدِ اللهِ رَضِيَ

[1] It means that the commodities which are sold by measure and weight should be exchanged with exactness by measure and weight and not by guess only.

Messenger صلى الله عليه وسلم say, "Food for food, of same quantities." Our food at that time consisted of barley.[1] [Reported by Muslim].

اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنِّي كُنْتُ أَسْمَعُ رَسُولَ اللهِ ﷺ يَقُولُ: «الطَّعَامُ بِالطَّعَامِ مِثْلاً بِمِثْلٍ، وَكَانَ طَعَامُنَا يَوْمَئِذٍ الشَّعِيرُ». رَوَاهُ مُسْلِمٌ.

**703.** Narrated Fadâla bin 'Ubaid رضي الله عنه: I bought a necklace for twelve Dinars at the battle of Khaibar and there were gold and gems in it, so I considered them separately and found that it was worth more than twelve Dinars. I told the Prophet صلى الله عليه وسلم about that and he said, "It must not be sold till the contents are considered separately."[2] [Reported by Muslim].

(٧٠٣) وَعَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: اشْتَرَيْتُ يَوْمَ خَيْبَرَ قِلَادَةً بِاثْنَي عَشَرَ دِينَاراً، فِيهَا ذَهَبٌ وَخَرَزٌ، فَفَصَّلْتُهَا، فَوَجَدْتُ فِيهَا أَكْثَرَ مِنَ اثْنَي عَشَرَ دِينَاراً، فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ ﷺ، فَقَالَ: «لَا تُبَاعُ حَتَّى تُفَصَّلَ». رَوَاهُ مُسْلِمٌ.

**704.** Narrated Samura bin Jundub رضي الله عنه: The Prophet صلى الله عليه وسلم forbade selling animals for animals when payment was to be made at a later date.[3] [Reported by *Al-Khamsa*] Ibn Al-Jârud and At-Tirmidhi graded it *Sahih* (sound).

(٧٠٤) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الْحَيَوَانِ بِالْحَيَوَانِ نَسِيئَةً. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ الْجَارُودِ.

**705.** Narrated Ibn 'Umar رضي الله عنهما: I heard Allâh's Messenger صلى الله عليه وسلم say, "When you will sell anything on credit to anyone on the condition that you will buy it back for a lower price,[4] follow the cattle, prefer

(٧٠٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا تَبَايَعْتُمْ بِالْعِينَةِ، وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ، وَرَضِيتُمْ بِالزَّرْعِ، وَتَرَكْتُمُ الْجِهَادَ،

[1] In another *Hadîth* it is stated that their food was wheat. M'amar wants to explain that barley and wheat are equal and should be treated as one foodstuff and in their exchange any increase or decrease is not correct. But other Companions of the Prophet صلى الله عليه وسلم do not agree with it. As in the *Hadîth* reported by 'Ubâda bin Sâmit رضي الله عنه, it is clearly told that wheat and barley are two different kinds.

[2] This *Hadîth* is a proof that gold if mixed with other substances should not be sold unless it is separated from them, because it is not possible to estimate the weight of gold admixed with other substances.

[3] It is permitted to sell one animal for two or vice versa, even the animals are of the same class. But swapping of animals on credit is not allowed.

[4] *'Ainah* (العينة): One form of it is that suppose a person asks someone to lend him a certain amount of money, he refuses the money in cash, instead offers him an article at a higher price than his demand of required money, and later on buys the same article from him at a less price i.e., equal to his demand money. In this way he makes him indebted for the

سَلَّطَ اللَّهُ عَلَيْكُمْ ذُلاًّ لاَ يَنْزِعُهُ حَتَّى تَرْجِعُوا إِلَى دِينِكُمْ». رَوَاهُ أَبُو دَاوُدَ مِنْ رِوَايَةِ نَافِعٍ عَنْهُ، وَفِي إِسْنَادِهِ مَقَالٌ، وَلأَحْمَدَ نَحْوُهُ مِنْ رِوَايَةِ عَطَاءٍ، وَرِجَالُهُ ثِقَاتٌ، وَصَحَّحَهُ ابْنُ القَطَّانِ.

agriculture and give up *Jihâd*. Allâh will make disgrace prevail over you and will not strip it off from you till you return to your religion." [Reported by Abû Dâ'ud from the version of Nafi'[1] on the authority of Ibn 'Umar رضي الله عنهما, but there is an unreliable narrator in its chain. Ahmad reported something similar from the version of 'Ata.[2] Its narrators are reliable and Ibn Al-Qattân graded it *Sahih* (sound)].

(٧٠٦) وَعَنْ أَبِي أُمَامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «مَنْ شَفَعَ لأَخِيهِ شَفَاعَةً فَأَهْدَى لَهُ هَدِيَّةً عَلَيْهَا، فَقَبِلَهَا، فَقَدْ أَتَى بَاباً عَظِيماً مِنْ أَبْوَابِ الرِّبَا». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَفِي إِسْنَادِهِ مَقَالٌ.

**706.** Narrated Abû Umâma رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Whoever intercedes for his brother and that one gives him a present which he accepts, becomes guilty of a serious type of usury."[3] [Reported by Ahmad and Abû Dâ'ud, but some of its narrators' reliability has been doubted].

---

difference. It shows that two things are the causes of Muslim' disgrace — one is giving up of *Jihâd* and the second is fraud and swindling.

[1] He is Abû 'Abdullâh Nafi' bin Sirjis At-Madani, the manumitted slave of Ibn 'Umar whom he captured during one of the military expeditions. He was reliable and a prominent *Fiqh* scholar among the great *Tabi'in*. He narrated most of the *Ahadith* reported by Ibn 'Umar رضي الله عنهما. Ibn 'Umar said, "Allâh has blessed us with Nafi' " Mâlik also said, "I used not to bother about hearing a *Hadith* from anyone else once I heard it from Nafi' through Ibn 'Umar." Al-Bukhâri also said, "The most authentic chain of narrators is: Mâlik from Nafi' from Ibn 'Umar (from Allâh's Messenger)." Many people narrated *Ahadith* from Nafi' and he died in the year 117 H. or after it.

[2] It is most likely that he is 'Atâ' Al-Khurâsâni and he was called Abû 'Uthmân 'Atâ' bin Abû Muslim Maisara, the manumitted slave of Al-Muhalab bin Abû Sufra. He settled at Shâm and was one of its eminent men. He was reliable and used to be regular in after midnight prayers. However he had bad memory and a lot of illusions. He died in 135 H. at the age of 85 years.

[3] If the gift is given before intercession and intercession too is for a forbidden deed, its unlawfulness is by common consent, it is not a gift but bribery. Making recommendation for a bad deed and accepting the gift afterwards also falls in the same category. If the recommendation is made for righteous deed and accepted the gift later which was not promised before, it is permissible.

**707.** Narrated 'Abdullâh bin 'Amr bin Al-Aas رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم cursed the one who bribes and the one who takes bribes.[1] [Reported by Abû Dâ'ud and At-Tirmidhi, who graded it *Sahih*].

(٧٠٧) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الرَّاشِيَ وَالْمُرْتَشِيَ. رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

**708.** Narrated ('Abdullâh bin 'Amr bin Al-Aas) رضي الله عنهما: The Prophet صلى الله عليه وسلم commanded him to equip an army, but when the camels were insufficient, he commanded him to keep back the young camels of *Sadaqa*. He said, "I was taking a camel to be replaced by two when the camels of *Sadaqa* came." [Reported by Al-Hâkim and Al-Baihaqi; its narrators are reliable].

(٧٠٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ أَمَرَهُ أَنْ يُجَهِّزَ جَيْشاً، فَنَفِدَتِ الْإِبِلُ، فَأَمَرَهُ أَن يَأْخُذَ عَلَى قَلَائِصِ الصَّدَقَةِ، قَالَ: فَكُنْتُ آخُذُ الْبَعِيرَ بِالْبَعِيرَيْنِ إِلَى إِبِلِ الصَّدَقَةِ. رَوَاهُ الْحَاكِمُ وَالْبَيْهَقِيُّ، وَرِجَالُه ثِقَاتٌ.

**709.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade *Al-Muzâbana*, which means that a man sells the fruit of his garden, if it consists of palm-trees (fresh dates), for dried dates by measure; or if it consists of grapes, for raisins by measure; or if it is corn, he sells it for a measure of corn. He forbade all that.[2] [Agreed upon].

(٧٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْمُزَابَنَةِ: أَنْ يَبِيعَ ثَمَرَ حَائِطِهِ إِنْ كَانَ نَخْلاً بِتَمْرٍ كَيْلاً، وَإِنْ كَانَ كَرْماً أَن يَبِيعَهُ بِزَبِيبٍ كَيْلاً، وَإِنْ كَانَ زَرْعاً أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ، نَهَى عَنْ ذٰلِكَ كُلِّهِ. مُتَّفَقٌ عَلَيْهِ.

**710.** Narrated S'ad bin Abû Waqqâs رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم being asked about buying dry dates for fresh ones. He replied, "Will fresh dates get diminished when they become dry?" They answered, "Yes." So he forbade that. [Reported by *Al-Khamsa* and graded *Sahih* by

(٧١٠) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ، وَسُئِلَ عَنِ اشْتِرَاءِ الرُّطَبِ بِالتَّمْرِ، فَقَالَ: «أَيَنْقُصُ الرُّطَبُ إِذَا يَبِسَ؟» قَالُوا: نَعَمْ، فَنَهَى عَنْ ذٰلِكَ. رَوَاهُ الْخَمْسَةُ، وَصَحَّحَهُ

[1] Who accepts the bribery is a cursed one. He who is compelled to offer bribery for his genuine and legitimate right, may Allâh will forgive him, but if the bribery is offered to deprive someone from his right, it is identical to invoke the curse of Allâh.

[2] Because there is a possibility of fraud, therefore this kind of trade is prohibited.

Ibn Al-Madini, At-Tirmidhi, Ibn Hibbân and Al-Hâkim].

ابْنُ الْمَدِينِيِّ وَالتِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**711.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم forbade selling a debt to be paid at a future date for another i.e., a debt for a debt.[1] [Reported by Ishaq and Al-Bazzâr with a weak *Isnâd*].

(٧١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الْكَالِىءِ بِالْكَالِىءِ، يَعْنِي الدَّيْنَ بِالدَّيْنِ. رَوَاهُ إِسْحَاقُ وَالْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

## Chapter 4
## PERMISSION REGARDING THE SALE OF *AL-'ARAYA* AND THE SALE OF TREES[2] AND FRUITS

## ٤ - بَابُ الرُّخْصَةِ فِي بَيْعِ الْعَرَايَا، وَبَيْعِ الْأُصُولِ وَالثِّمَارِ

**712.** Narrated Zaid bin Thâbit رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم gave permission[3] regarding *Al-'Arâya*[4] for its sale on the basis of a calculation of what the dates would be when dry by measure. [Agreed upon].

(٧١٢) عَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ رَخَّصَ فِي الْعَرَايَا أَنْ تُبَاعَ بِخَرْصِهَا كَيْلاً. مُتَّفَقٌ عَلَيْهِ.

Muslim has: "He gave permission regarding the *Al-Arâya* for its sale in which the household buys its fruit on the basis of a calculation of what the dates would be when dry, yet they could eat them when fresh."

وَلِمُسْلِمٍ: رَخَّصَ فِي الْعَرِيَّةِ يَأْخُذُهَا أَهْلُ الْبَيْتِ بِخَرْصِهَا تَمْراً، يَأْكُلُونَهَا رُطَباً.

---

[1] It has two forms: (1) for example, A buys a horse from B for one hundred Dirham and makes a promise to make the payment after one year, but after the lapse of a year, he is not able to make the payment. He goes to B and asks him to sell the horse again at a higher price. It means A is paying interest for not making the payment in time. (2) The second form is as explained in the following example: Suppose 'Umar owes ten Dirhams to Zaid and he also owes a piece of cloth to Bakr. Bakr says to Zaid, "What I owe from 'Umar, sell you in ten Dirhams." Such type of business is prohibited.

[2] The Arabic word *Usûl* (الأصول) is plural of *Asl* (الأصل) and it means root. Because the roots are the origin of trees, therefore, *Ba'i-al-Usûl* (بيع الأصول) means the trade of trees.

[3] The literal meaning or verbal sense of the Arabic word *Rukhsat* (الرخصة) is 'leave or permission' but as a term in *Shari'a*, it means legal permission to act against the prohibition or obligatory orders of *Shari'a* due to some genuine excuse or in dire need.

[4] (Plural of *'Ariya*) It is a palm tree assigned by its owner to a person in need for him to exchange dry dates with its unripe dates of the same measurement when both are dry.

**713.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم gave permission regarding the sale of *Al-Arâya* for a computation of their amount when dry on the condition that they be less than five *Awsuq*, or amounting to five *Awsuq*.[1] [Agreed upon].

(٧١٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ رَخَّصَ فِي بَيْعِ الْعَرَايَا بِخَرْصِهَا مِنَ التَّمْرِ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ، أَوْ فِي خَمْسَةِ أَوْسُقٍ. مُتَّفَقٌ عَلَيْهِ.

**714.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade the sale of fruits till they are clearly in good condition, forbidding it both to the seller and to the buyer. [Agreed upon].

(٧١٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ بَيْعِ الثِّمَارِ حَتَّى يَبْدُو صَلَاحُهَا، نَهَى الْبَائِعَ وَالْمُبْتَاعَ. مُتَّفَقٌ عَلَيْهِ.

A version has: "When he was asked about what is their good condition?" He صلى الله عليه وسلم replied, "Till they were safe[2] from blight."

وَفِي رِوَايَةٍ: وَكَانَ إِذَا سُئِلَ عَنْ صَلَاحِهَا، قَالَ: **حَتَّى تَذْهَبَ عَاهَتُهَا.**

**715.** Narrated Anas bin Mâlik رضى الله عنه: The Prophet صلى الله عليه وسلم forbade the sale of fruits till they become colourful. He was asked what that meant, he replied, "Till they become reddish and yellowish." [Agreed upon and the version is of Al-Bukhâri].

(٧١٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الثِّمَارِ حَتَّى تَزْهُوَ، قِيلَ: وَمَا زَهْوُهَا؟ قَالَ: «**تَحْمَارُّ وَتَصْفَارُّ**». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**716.** Narrated (Anas bin Mâlik) رضى الله عنه: The Prophet صلى الله عليه وسلم forbade the sale of grapes till they become black and the sale of grain till it becomes hard.[3] [Reported by *Al-Khamsa* except An-Nasâ'i and

(٧١٦) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ بَيْعِ الْعِنَبِ حَتَّى يَسْوَدَّ، وَعَنْ بَيْعِ الْحَبِّ حَتَّى يَشْتَدَّ. رَوَاهُ الْخَمْسَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

---

[1] Measure of five *Awsuq* (plural of *Wasq* الوسق) is a little more than eight quintals. In case of need taking less than this quantity by estimation is permitted. This grace is bestowed for the general need of people.

[2] In Arabic version the word *'Ahat* (عاهة) is used meaning a 'sudden calamity'. This form of deal is prohibited because raw fruit is useless; and till it is ripe and usable, a sudden calamity may fall and destroy it. Due to the possibility of loss it has been prohibited.

[3] It means that when the grain is ripe in the spike, it is permitted to sell the crop, but only a needful measure and not more, otherwise the rule is to sell the grains after thrashing and cleaning.

graded *Sahih* by Ibn Hibbân and Al-Hâkim].

**717.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If you sell some fruit to your brother and it was smitten by blight it would not be lawful for you to take anything from him.[1] Why should you take your brother's property unjustly?" [Reported by Muslim]. A version by Muslim has: "The Prophet صلى الله عليه وسلم commanded that unforeseen loss be remitted[2] in respect of what is affected by blight."

(٧١٧) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَوْ بِعْتَ مِنْ أَخِيكَ ثَمَراً، فَأَصَابَتْهُ جَائِحَةٌ، فَلاَ يَحِلُّ لَكَ أَنْ تَأْخُذَ مِنْهُ شَيْئاً، بِمَ تَأْخُذُ مَالَ أَخِيكَ بِغَيْرِ حَقٍّ؟» رَوَاهُ مُسْلِمٌ وَفِي رِوَايَةٍ لَهُ: أَنَّ النَّبِيَّ ﷺ أَمَرَ بِوَضْعِ الْجَوَائِحِ.

**718.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If anyone buys a palm tree after it has been fecundated, the fruits belong to the seller who has sold them unless the buyer makes a condition." [Agreed upon].

(٧١٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنِ ابْتَاعَ نَخْلاً بَعْدَ أَنْ تُؤَبَّرَ، فَثَمَرَتُهَا لِلْبَائِعِ الَّذِي بَاعَهَا، إِلاَّ أَنْ يَشْتَرِطَ الْمُبْتَاعُ». مُتَّفَقٌ عَلَيْهِ.

## Chapter 5
## PAYMENT IN ADVANCE,[3] A LOAN AND A PLEDGE

## ٥ - أَبْوَابُ السَّلْمِ وَالْقَرْضِ وَالرَّهْنِ

**719.** Narrated Ibn 'Abbâs رضي الله عنهما: When the Prophet صلى الله عليه وسلم came to Al-Madîna, they were paying one and two years in advance for fruits, so he (صلى الله عليه وسلم)said, "Those who paid in

(٧١٩) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَدِمَ النَّبِيُّ ﷺ الْمَدِينَةَ، وَهُمْ يُسْلِفُونَ فِي الثِّمَارِ السَّنَةَ وَالسَّنَتَيْنِ،

[1] If the yield is still on the trees and a calamity strikes, the owner of the trees have to endure the loss, but if the stroke comes after picking the fruit, the buyer have to bear the loss.

[2] In Arabic version, the word used is *Wad'i-Al-Jawa'ih* (وضع الجوائح) which means even after picking up the yield, if there is a loss, the owner should be considerate and give some rebate to his customer.

[3] *Salam* (السلم) means to buy a produce by making the payment in advance. For example, someone gives a certain amount of money to another person and says that he will have the produce after such a period on such and such price. This is permitted provided measure and price is decided beforehand. This is also known as *Bai' As-Salaf* (بيع السلف).

advance for fruits must do so for a specified measurement and weight for a specified time." [Agreed upon]. Al-Bukhâri has: "Those who pay in advance for anything."

فَقَالَ: «مَنْ أَسْلَفَ فِي ثَمَرٍ فَلْيُسْلِفْ فِي كَيْلٍ مَعْلُومٍ، وَوَزْنٍ مَعْلُومٍ، إِلَى أَجَلٍ مَعْلُومٍ». مُتَّفَقٌ عَلَيْهِ، وَلِلْبُخَارِيِّ: «مَنْ أَسْلَفَ فِي شَيْءٍ».

**720.** Narrated 'Abdur-Rahmân bin Abza[1] and 'Abdullâh bin Abû Aufa رضي الله عنهم "We used to get booties along with Allâh's Messenger صلى الله عليه وسلم, and some peasants from those of Syria used to come to us and we would pay in advance to them for wheat, barley and raisins." A version has: "and olive oil for a specified fixed time." It was asked, "Did they have standing crop?" They replied, "We were not asking them about that.[2]" [Reported by Al-Bukhâri].

(٧٢٠) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ أَبْزَى، وَعَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالاَ: كُنَّا نُصِيبُ الْمَغَانِمَ مع رسول الله ﷺ وكان يَأْتِينَا أَنْبَاطٌ من أَنْبَاطِ الشَّامِ، فَنُسْلِفُهُم فِي الْحِنْطَةِ وَالشَّعِيرِ وَالزَّبِيبِ، - وَفِي رِوَايَةٍ «وَالزَّيْتِ» - إِلَى أَجَلٍ مُسَمًّى، قِيلَ: أَكَانَ لَهُمْ زَرْعٌ؟ قَالاَ: مَا كُنَّا نَسْأَلُهُمْ عَنْ ذٰلِكَ. رَوَاهُ الْبُخَارِيُّ.

**721.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone accepts other people's belongings meaning to pay back, Allâh will pay back for him; but if anyone accepts them meaning to squander them, Allâh the Most High will squander him." [Reported by Al-Bukhâri].

(٧٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَهَا يُرِيدُ إِتْلاَفَهَا أَتْلَفَهُ اللَّهُ تَعَالَى». رَوَاهُ الْبُخَارِيُّ.

**722.** Narrated 'Aisha رضي الله عنها: I said, "O Messenger of Allâh, so-and-so has brought clothes from Syria, how about if you sent someone to him and you get from him two garments on credit[3] till it is easy for you to

(٧٢٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: يَا رَسُولَ اللهِ! إِنَّ فُلاناً قَدِمَ لَهُ بَزٌّ مِنَ الشَّامِ، فَلَوْ بَعَثْتَ إِلَيْهِ، فَأَخَذْتَ مِنْهُ ثَوْبَيْنِ بِنَسِيئَةٍ إِلَى مَيْسَرَةٍ، فَأَرْسَلَ إِلَيْهِ، فَامْتَنَعَ. أَخْرَجَهُ

---

[1] 'Abdur-Rahmân bin Abza, the manumitted slave of Banu Khuzâ'a was a young *Sahâbi* who met the Prophet صلى الله عليه وسلم and prayed behind him. He settled at Kufa and 'Ali bin Abû Talib appointed him to govern Khurasân. He died at Kufa.

[2] This *Hadîth* makes it clear that *Bai' As-Salam* (بيع السلم) is legal even the crop or kind is not present at the time of deal. The only condition is that the yield should be ready well in time.

[3] It means that to buy a thing on credit is permissible. The cloth merchant was a Jew and had enmity for the Prophet صلى الله عليه وسلم, therefore he refused.

repay?" So he sent someone to him but he refused. [Al-Hâkim and Al-Baihaqi reported it, and its narrators are reliable].

الْحَاكِمُ والْبَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ.

**723.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "An animal may be ridden for spending on it[1] when it is in pledge[2] and the milk of a camel may be drunk for spending on it when in pledge. And the responsibility of caring for it is upon the one who rides (it) and drinks (its milk)." [Reported by Al-Bukhâri]."

(٧٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الظَّهْرُ يُرْكَبُ بِنَفَقَتِهِ إِذَا كَانَ مَرْهُوناً، وَلَبَنُ الدَّرِّ يُشْرَبُ بِنفقَتِهِ إذا كان مَرْهُونًا وَعَلَى الَّذِي يَرْكَبُ وَيَشْرَبُ النَّفَقَةُ**». رَوَاهُ الْبُخَارِيُّ.

**724.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "A pledge does not become lost to its owner when he does not redeem it in time. Any increase in its value goes to him and any loss must be borne by him."[3] [Reported by Ad-Dâraqutni and Al-Hâkim. Its narrators are reliable, but it is *Mursal* according to Abû Dâ'ud and others].

(٧٢٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَغْلَقُ الرَّهْنُ مِنْ صَاحِبِهِ الَّذِي رَهَنَهُ، لَهُ غُنْمُهُ وَعَلَيْهِ غُرْمُهُ**». رَوَاهُ الدَّارَقُطْنِيُّ وَالْحَاكِمُ، وَرِجَالُهُ ثِقَاتٌ، إِلاَّ أَنَّ الْمَحْفُوظَ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ إِرْسَالُهُ.

**725.** Narrated Abû Râfi' رضى الله عنه: The Prophet صلى الله عليه وسلم borrowed a young camel from a man, and when some *Sadaqa* camels came to him he ordered Abû Râfi' (رضى الله عنه) to pay

(٧٢٥) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْراً، فَقَدِمَتْ عَلَيْهِ إِبِلٌ مِنْ إِبِلِ الصَّدَقَةِ، فَأَمَرَ

---

[1] It means that if somebody mortgages his horse or cow against a loan, there are two aspects of its interpretation. Either the debtor will feed his cow or horse and will get the benefit or the creditor will feed the cow or horse and will get the benefit. Whoever feeds the animal deserves the benefit. The *Hadith* confirms second view.

[2] According to *Shari'a*, *Rahn* (رهن) means (mortgage) to give some property or belonging to a creditor as a security for payment of a loan or debt.

[3] It means that mortgagee is not the owner of pledged possessions. He is merely a possessor. If the pledged possession is destroyed or died, mortgagee is not responsible for that and similarly if there is any addition in the pledged possession, he is not the owner of it. Loss and profit whatever it is, goes to the owner (i.e., mortgager) and not to the mortgagee.

the man his young camel. He told him (صلى الله عليه وسلم), "I can find only an excellent camel in its seventh year." He said, "Give it to him, for the best person is he, who discharges his debt in the best manner."[1] [Reported by Muslim].

أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ بَكْرَه، فَقَالَ: «لَا أَجِدُ إِلَّا خِيَاراً رَبَاعِيًا»، قَالَ: «أَعْطِهِ إِيَّاهُ، فَإِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً». رَوَاهُ مُسْلِمٌ.

**726.** Narrated 'Ali رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Every loan which leads to a benefit is usury." [Al-Hârith bin Abû Usama reported it, but there is omission in its chain of narrators].

(٧٢٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «كُلُّ قَرْضٍ جَرَّ مَنْفَعَةً فَهُوَ رِباً». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةَ، وَإِسْنَادُهُ سَاقِطٌ.

The aforesaid *Hadîth* has a weak citation on the authority of Fadâla bin 'Ubaid رضى الله عنه by Al-Baihaqi. It has also another *Mawqûf* version reported by 'Abdullâh bin Salâm رضى الله عنه and Al-Bukhâri reported it.

وَلَهُ شَاهِدٌ ضَعِيفٌ عَنْ فَضَالَةَ بْنِ عُبَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ الْبَيْهَقِيِّ، وَآخَرُ مَوْقُوفٌ عَنْ عَبْدِ اللَّهِ بْنِ سَلَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عِنْدَ الْبُخَارِيِّ.

## Chapter 6
## BANKRUPTCY AND SEIZURE

## ٦ - بَابُ التَّفْلِيسِ وَالْحَجْرِ

**727.** Narrated Abû Bakr bin Abdur-Rahmân[2] on the authority of Abû Huraira رضى الله عنه: We heard Allâh's Messenger صلى الله عليه وسلم say, "If a creditor finds his very property with a debtor who becomes bankrupt, he is

(٧٢٧) عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْنَا رَسُولَ اللَّهِ ﷺ يَقُولُ: «مَنْ أَدْرَكَ مَالَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ قَدْ أَفْلَسَ فَهُوَ

[1] If the debtor pays some profit or something else with the principal money of his own, it is lawful for the creditor, but if the creditor makes it a condition to return the credit with something additional, it would be regarded as interest and it is unlawful. Better return is permissible and lawful for the creditor but compulsory better return is prohibited as it is interest on the principal money.

[2] He is Abû Bakr bin 'Abdur-Rahmân bin Al-Hârith bin Hishâm bin Al-Mughira Al-Makhzumi Al-Madani, the *Qadi* of Al-Madîna. It was said that his name was Muhammad, Al-Mughira or Abû Bakr, and was nicknamed Abû 'Abdur-Rahmân. It was also said that his name and nickname were the same. He was reliable, knowledgeable and pious. He was a *Tabi'i* of the third generation and died during the caliphate of Al-Walid bin 'Abdul Mâlik.

أَحَقُّ بِهِ مِنْ غَيْرِهِ». مُتَّفَقٌ عَلَيْهِ.

more entitled to it[1] than anyone else." [Agreed upon].

وَرَوَاهُ أَبُو دَاوُدَ وَمَالِكٌ مِنْ رِوَايَةِ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمٰنِ مُرْسَلاً، بِلَفْظِ: أَيُّمَا رَجُلٍ بَاعَ مَتَاعاً، فَأَفْلَسَ الَّذِي ابْتَاعَهُ، وَلَمْ يَقْبِضِ الَّذِي بَاعَهُ مِنْ ثَمَنِهِ شَيْئاً، فَوَجَدَ مَتَاعَهُ بِعَيْنِهِ، فَهُوَ أَحَقُّ بِهِ، وَإِنْ مَاتَ الْمُشْتَرِي فَصَاحِبُ الْمَتَاعِ أُسْوَةُ الْغُرَمَاءِ. وَوَصَلَهُ الْبَيْهَقِيُّ. وَضَعَّفَهُ تَبعاً لأَبِي دَاوُدَ.

Abû Dâ'ud and Mâlik reported the aforesaid *Hadîth* from Abû Bakr bin Abdur-Rahmân's version in a *Mursal* form with this wording: "If anyone sells some goods (on credit) and the one who buys them becomes bankrupt and does not repay any of the price to the seller who then finds his very goods (with him), he is more entitled to them (than anyone else); if the buyer dies, the owner of the goods is then equal to the other creditors." [Al-Baihaqi reported it with full chain of narrators but graded it weak according to Abû Dâ'ud's narration].

وَرَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ مِنْ رِوَايَةِ عُمَرَ بْنِ خَلْدَةَ، قَالَ: أَتَيْنَا أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي صَاحِبٍ لَنَا قَدْ أَفْلَسَ، فَقَالَ: لأَقْضِيَنَّ فِيكُمْ بِقَضَاءِ رَسُولِ اللهِ ﷺ: مَنْ أَفْلَسَ أَوْ مَاتَ، فَوَجَدَ رَجُلٌ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ. وَصَحَّحَهُ الْحَاكِمُ، وَضَعَّفَهُ أَبُو دَاوُدَ، وَضَعَّفَ أَيْضاً هٰذِهِ الزِّيَادَةَ فِي ذِكْرِ الْمَوْتِ.

Abû Dâ'ud and Ibn Mâjah reported the aforesaid *Hadîth* from 'Umar bin Khalda's[2] version and it has: "We went to Abû Huraira رضي الله عنه regarding a friend of ours who was bankrupt. He said, 'I shall certainly pronounce judgement about him in accordance with the judgement of Allâh's Messenger صلى الله عليه وسلم. If anyone becomes bankrupt or dies and the owner of the goods finds his actual goods he has most right to them.' "[3] [Al-Hâkim graded it *Sahih*

[1] It means that the seller has the right to cancel the deal and take back his goods, if the buyer becomes bankrupt.

[2] He is Abû Hafs Al-Ansâri Al-Madâni Al-Qadi. He was a respectable, strict, pious and reliable man. Abû Huraira and then Rabi'a Ar-Râyi narrated from him. It was said that Khalda was his grandfather and his father's name was 'Abdur-Rahmân.

[3] If the buyer becomes bankrupt after making a partial payment of a certain purchase, then the seller has not right over the price of the rest of the purchase. He will get his share according to proportionate division among all of his creditors. In case of death of the debtor, all creditors get proportionate share without any distinction whether who's commodities are sold and who's are unsold.

(sound); Abû Dâ'ud proved it to be weak, and also termed this addition regarding the mention of the death to be weak].

**728.** Narrated 'Amr bin Ash-Sharîd[1] on the authority of his father[2]: Allâh's Messenger صلى الله عليه وسلم said, "Delay in payment on the part of one who possesses the means makes it lawful to dishonour and punish him."[3] [Abû Dâ'ud and An-Nasâ'i reported it; Al-Bukhâri reported it without *Isnâd*, and Ibn Hibbân graded it *Sahih* (sound)].

(٧٢٨) وَعَنْ عَمْرِو بْنِ الشَّرِيدِ، عَنْ أَبِيهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيُّ الْوَاجِدِ يُحِلُّ عِرْضَهُ وَعُقُوبَتَهُ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَعَلَّقَهُ الْبُخَارِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**729.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: In the time of Allâh's Messenger صلى الله عليه وسلم a man suffered loss affecting fruits he had bought, owed a large debt and became bankrupt, so Allâh's Messenger صلى الله عليه وسلم said to the people, "Give him *Sadaqa*." They did so, but as that was not enough to repay his debt in full, Allâh's Messenger صلى الله عليه وسلم said to the creditors, "Take what you can find,[4] and you will have nothing other than that." [Reported by Muslim].

(٧٢٩) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أُصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللهِ ﷺ فِي ثِمَارٍ ابْتَاعَهَا، فَكَثُرَ دَيْنُهُ، فَأَفْلَسَ، فَقَالَ رَسُولُ اللهِ ﷺ: «تَصَدَّقُوا عَلَيْهِ»، فَتَصَدَّقَ النَّاسُ عَلَيْهِ، وَلَمْ يَبْلُغْ ذٰلِكَ وَفَاءَ دَيْنِهِ، فَقَالَ رَسُولُ اللهِ ﷺ لِغُرَمَائِهِ: «خُذُوا مَا وَجَدْتُمْ، وَلَيْسَ لَكُمْ إِلاَّ ذٰلِكَ». رَوَاهُ مُسْلِمٌ.

---

[1] He is Abul-Walid 'Amr bin Ash-Sharid bin Suwaid Ath-Thaqafi At-Tâ'ifi. He was a reliable *Tabi'i* of the third generation.

[2] He is Sharid bin Suwaid Ath-Thaqafi. His name was Mâlik, but Allâh's Messenger صلى الله عليه وسلم renamed him Sharid (the runaway), because he killed one of his clansmen, ran away to Makka and became a Muslim. It is said that he was from Hadramout, but was counted as a member of Banu Thaqif or the people of Tâ'if.

[3] If a debtor having the means to pay the debt does not pay it intentionally, then the creditor has all the rights to disgrace him in the public and drag him to court for punishment.

[4] The Prophet صلى الله عليه وسلم said that this is all whatever it is and asked the creditors to divide his belongings among themselves proportionately.

**730.** Narrated Ibn Ka'b[1] bin Mâlik رضي الله عنه on the authority of his father[2]: Allâh's Messenger صلى الله عليه وسلم seized the property of Mu'âdh and sold it in return for a debt he was indebted for. [Ad-Dâraqutni reported it, Al-Hâkim graded it *Sahih* (sound); Abû Dâ'ud reported it through a *Mursal* form and preponderated it as *Mursal*].

(٧٣٠) وَعَنِ ابْنِ كَعْبِ بْنِ مَالِكٍ عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ حَجَرَ عَلَى مُعَاذٍ مَالَهُ، وَبَاعَهُ فِي دَيْنٍ كَانَ عَلَيْهِ. رَوَاهُ الدَّارَقُطْنِيُّ، وَصَحَّحَهُ الْحَاكِمُ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُرْسَلاً، وَرَجَّحَ إِرْسَالَهُ.

**731.** Narrated Ibn 'Umar رضي الله عنهما: I was brought before the Prophet صلى الله عليه وسلم on the Day of Uhud[3] when I was fourteen years old but he did not give me permission to fight. I was afterwards brought before him on the Day of *Al-Khandaq* (the battle of Trench) when I was fifteen[4] and he gave me permission to fight. [Agreed upon].

(٧٣١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: عُرِضْتُ عَلَى النَّبِيِّ ﷺ يَوْمَ أُحُدٍ، وَأَنَا ابْنُ أَرْبَعَ عَشْرَةَ سَنَةً، فَلَمْ يُجِزْنِي، وَعُرِضْتُ عَلَيْهِ يَوْمَ الْخَنْدَقِ، وَأَنَا ابْنُ خَمْسَ عَشْرَةَ سَنَةً، فَأَجَازَنِي. مُتَّفَقٌ عَلَيْهِ.

Al-Baihaqi's version has: "He did not give me permission to fight and did not find me having attained puberty." [Ibn Khuzaima graded it *Sahih* (sound)].

وَفِي رِوَايَةٍ لِلْبَيْهَقِيِّ: فَلَمْ يُجِزْنِي وَلَمْ يَرَنِي بَلَغْتُ». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

---

[1] Abû Al-Khattâb 'Abdur-Rahmân bin Ka'b bin Mâlik Al-Ansâri Al-Madani was reliable and among the great *Tabi'in*. It is said that he was born during the lifetime of the Prophet صلى الله عليه وسلم and died during the caliphate of Sulaimân bin 'Abdul-Malik

[2] Ka'ab bin Mâlik bin Abû Ka'b Al-Ansâri As-Sulami Al-Madani the poet, was one of the poets of the Prophet صلى الله عليه وسلم. He attended the second *Bai'at-ul-'Aqaba* and all the battles except Badr and Tabuk. He was one of the three whose repentance was mentioned in *Sûrat At-Taubah* (No.9) for remaining behind in Al-Madîna during the Tabuk expedition. It is said that he died after becoming blind in 50 H. or 51 H. at the age of 77 years.

[3] On the 'Day of Uhud', he was presented before the Prophet صلى الله عليه وسلم for the permission to fight against the infidels.

[4] This *Hadîth* is mentioned here to show that the age of maturity is fifteen years and all the commands of *Shari'a* become obligatory at this age, therefore all the deeds and transactions made at this age are valid and all the deals and transactions under the age of fifteen are invalid. Another sign of maturity is pubic hair.

732. Narrated 'Atiya Al-Qurazi[1] رضي الله عنه: We were brought before the Prophet صلى الله عليه وسلم on the day of Quraiza. Those who had began to grow hair (on their private parts) were killed, but those who had not, were set free; I was among those who had not begun to grow hair so I was set free. [Reported by *Al-Arba'a*. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(٧٣٢) وَعَنْ عَطِيَّةَ الْقُرَظِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: عُرِضْنَا عَلَى النَّبِيِّ ﷺ يَوْمَ قُرَيْظَةَ، فَكَانَ مَنْ أَنْبَتَ قُتِلَ، وَمَنْ لَمْ يُنْبِتْ خُلِّيَ سَبِيلُهُ، فَكُنْتُ مِمَّنْ لَمْ يُنْبِتْ، فَخُلِّيَ سَبِيلِي. رَوَاهُ الْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

733. Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (رضي الله عنهم): Allâh's Messenger صلى الله عليه وسلم said: "It is not lawful for a woman to give a gift without her husband's permission."

(٧٣٣) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا يَجُوزُ لِامْرَأَةٍ عَطِيَّةٌ إِلَّا بِإِذْنِ زَوْجِهَا».

A version has: "It is not lawful for a woman to dispose of anything regarding her property[2] when her husband is responsible for her." [Reported by Ahmad and the authors of *As-Sunan* except At-Tirmidhi and Al-Hâkim graded it *Sahih* (sound)].

وفي لفظ: لَا يَجُوزُ لِلْمَرْأَةِ أَمْرٌ فِي مَالِهَا، إِذَا مَلَكَ زَوْجُهَا عِصْمَتَهَا. رَوَاهُ أَحْمَدُ وَأَصْحَابُ السُّنَنِ، إِلَّا التِّرْمِذِيَّ، وَصَحَّحَهُ الْحَاكِمُ.

734. Narrated Qabîsa bin Mukhâriq Al-Hilali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Begging is allowable only to one of three (people): a man who has become a guarantor for a payment, to whom begging is allowed till he gets it, after

(٧٣٤) وَعَنْ قَبِيصَةَ بْنِ مُخَارِقٍ الْهِلَالِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ الْمَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدِ ثَلَاثَةٍ: رَجُلٌ تَحَمَّلَ حَمَالَةً، فَحَلَّتْ لَهُ الْمَسْأَلَةُ، حَتَّى يُصِيبَ قِوَامًا، ثُمَّ يُمْسِكُ،

[1] 'Atiya Al-Qurazi was a young *Sahâbi* who reported a *Hadîth*. It is said that he settled at Kufa. Ibn 'Abdul-Barr said, "I never found his father's name." Mujahid and others narrated from him.

[2] A woman can deal her own wealth without the permission of her husband. What is her own property? Her dowry, her inherited property, and the profit of business from her own wealth, all is in her own property and her husband has no right over it. A woman can give to her husband whatever she wants, it is lawful for the husband. The incident of 'Abdullâh bin Mas'ûd and his wife has passed in previously, if the woman had not the right to deal with the wealth, this incident would have not happened.

which he must stop begging; a man whose property has been destroyed by a calamity which has smitten him, to whom begging is allowed till he gets what will support life; and a man who has been smitten by poverty, the genuineness of which is confirmed by three intelligent members of his people." [Reported by Muslim].

وَرَجُلٌ أَصَابَتْهُ جَائِحَةٌ اجْتَاحَتْ مَالَهُ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ، حَتَّى يُصِيبَ قِوَاماً مِنْ عَيْشٍ، وَرَجُلٌ أَصَابَتْهُ فَاقَةٌ، حَتَّى يَقُولَ ثَلَاثَةٌ مِنْ ذَوِي الحِجَى مِنْ قَوْمِهِ: لَقَدْ أَصَابَتْ فُلَاناً فَاقَةٌ، فَحَلَّتْ لَهُ الْمَسْأَلَةُ. رَوَاهُ مُسْلِمٌ.

## Chapter 7
## RECONCILIATION

## ٧ - بَابُ الصُّلْحِ

**735.** Narrated 'Amr bin 'Auf Al-Muzani[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Reconciliation[2] is allowable between Muslims except such which makes unlawful something which is lawful, or makes lawful something which is unlawful;[3] and Muslims must keep to the conditions they have made, except for a condition which makes unlawful something which is lawful, or makes lawful something which is unlawful." [At-Tirmidhi reported and graded it *Sahih* (sound), but the *Hadîth* scholars disagreed with him because the narration of Kathir bin 'Abdullâh bin 'Amr bin

(٧٣٥) عَنْ عَمْرِو بْنِ عَوْفٍ الْمُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «الصُّلْحُ جَائِزٌ بَيْنَ الْمُسْلِمِينَ، إِلاَّ صُلْحاً حَرَّمَ حَلَالاً، أَوْ أَحَلَّ حَرَاماً، وَالْمُسْلِمُونَ عَلَى شُرُوطِهِمْ. إِلاَّ شَرْطاً حَرَّمَ حَلَالاً، أَوْ أَحَلَّ حَرَاماً». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَنْكَرُوا عَلَيْهِ، لِأَنَّ رَاوِيَهُ كَثِيرُ بْنُ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ عَوْفٍ ضَعِيفٌ، وَكَأَنَّهُ اعْتَبَرَهُ بِكَثْرَةِ طُرُقِهِ، وَقَدْ صَحَّحَهُ ابْنُ حِبَّانَ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

---

[1] He is Abû 'Abdullâh 'Amr bin 'Auf bin Zaid bin Milha Al-Muzani (of the Muzaina tribe), the grand father of Kathir bin 'Abdullâh. He became a Muslim early, attended Badr and the Prophet صلى الله عليه وسلم appointed him on the *Haram* of Al-Madîna. He was one of those who used to fear Allah much and shed tears. He died during the caliphate of Mu'âwiya.

[2] In Arabic, *Sulh* (الصلح) means peace. There are many kinds of *Sulh* such as a treaty between Muslim and non-Muslims, a rapprochement between husband and wife, a truce between rebels and government, a concord of two angry persons and agreement in financial disputes. Here we mean the last mentioned. In financial disputes which agreement is lawful and which is unlawful and what are the conditions of agreements.

[3] Basic principle about agreement is that it should not be against any law of *Shari'a* and it should not change unlawful into lawful and vice versa. The example of changing unlawful into lawful is to say that, in undue favour of someone, one would definitely disgrace so-and-so; and changing lawful into unlawful is to say that, in undue favour someone would make a separation from one's wife.

'Auf is weak[1], perhaps At-Tirmidhi considered it reliable for its many ways of narration]. Ibn Hibbân declared the aforesaid *Hadîth* to be sound from the version of Abû Huraira رضى الله عنه.

**736.** Narrated Abû Huraira رضى الله عنه: The Prophet صلى الله عليه وسلم said, "One must not prevent his neighbour from fixing a beam in his wall."[2] Abû Huraira رضى الله عنه then said, "Why do I see you turn away from it? I swear by Allâh that I will always narrate it to you." [Agreed upon].

(٧٣٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**لا يَمْنَعُ جَارٌ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ**»، ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: مَا لِيَ أَرَاكُمْ عَنْهَا مُعْرِضِينَ؟ وَاللهِ لأَرْمِيَنَّ بِهَا بَيْنَ أَكْتَافِكُمْ. مُتَّفَقٌ عَلَيْهِ.

**737.** Narrated Abû Humaid As-Sâ'idi رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "It is not lawful for a person to take his brother's stick except with his good will." [Ibn Hibbân and Al-Hâkim reported it in their two *Sahih* books].

(٧٣٧) وَعَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لا يَحِلُّ لامْرِئٍ أَنْ يَأْخُذَ عَصَا أَخِيهِ بِغَيْرِ طِيبِ نَفْسٍ مِنْهُ**». رَوَاهُ ابْنُ حِبَّانَ وَالْحَاكِمُ فِي صَحِيحَيْهِمَا.

## Chapter 8
## THE TRANSFER OF A DEBT AND SURETY

## ٨ - بَابُ الْحَوَالَةِ وَالضَّمَانِ

**738.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Delay in payment by a rich man is injustice, but when one of you is referred for payment to a wealthy

(٧٣٨) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَطْلُ الْغَنِيِّ ظُلْمٌ، وَإِذَا أُتْبِعَ أَحَدُكُمْ عَلَى مَلِيءٍ فَلْيَتْبَعْ**».

[1] Ash-Shâfi'i and Abû Dâ'ud described him as, "one of the pillars of falsehood" and Ahmad said, "His *Ahadîth* are *Munkar* and he is nothing." An-Nasâ'i said, "He is not reliable" and Ibn Hibbân said, "He has a fabricated book of *Hadîth* purported to have been narrated by him from his father who narrated from his grandfather."

[2] *Shari'a* has decided in the course of social rights that a neighbour can place his beam on the wall of his neighbour.

man[1] he should accept the reference." [Agreed upon]. A version by Ahmad has: "And if anyone is referred to another, let him accept that."

مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لأَحْمَدَ فَلْيَحْتَلْ.

**739.** Narrated Jâbir رضى الله عنه: A man of us died, so we washed, embalmed and shrouded him; we then brought him to Allâh's Messenger صلى الله عليه وسلم and ask him to pray over him, he went forward some steps and asked, "Did he owe anything?" We replied, "Two Dinars." He turned away, but Abû Qatâda (رضى الله عنه) took upon himself the bearing of them. We then came to him (صلى الله عليه وسلم) and Abû Qatâda (رضى الله عنه) said, "I shall discharge the two Dinars." Allâh's Messenger صلى الله عليه وسلم thereupon said, "Will you be responsible for paying them as a right to the creditor; and the dead man will then be free from them?" He replied, "Yes." So He prayed over him.[2] [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(٧٣٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: تُوُفِّيَ رَجُلٌ مِنَّا، فَغَسَّلْنَاهُ، وَحَنَّطْنَاهُ، وَكَفَّنَّاهُ، ثُمَّ أَتَيْنَا بِهِ رَسُولَ اللهِ ﷺ، فَقُلْنَا: تُصَلِّي عَلَيْهِ، فَخَطَا خُطاً، ثُمَّ قَالَ: **أَعَلَيْهِ دَيْنٌ؟** قُلْنَا: دِينَارَانِ، فَانْصَرَفَ، فَتَحَمَّلَهُمَا أَبُو قَتَادَةَ، فَأَتَيْنَاهُ، فَقَالَ أَبُو قَتَادَةَ: الدِّينَارَانِ عَلَيَّ، فَقَالَ رَسُولُ اللهِ ﷺ: «**حَقَّ الْغَرِيمِ؟ وَبَرِئَ مِنْهُمَا الْمَيِّتُ؟**» قَالَ: نَعَمْ، فَصَلَّى عَلَيْهِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**740.** Narrated Abû Huraira رضى الله عنه: A man who had died in debt would be brought to Allâh's Messenger صلى الله عليه وسلم and he would ask, "Has he left anything to discharge his debt?" If he was told that he had left enough[3] he

(٧٤٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يُؤْتَى بِالرَّجُلِ الْمُتَوَفَّى عَلَيْهِ الدَّيْنُ، فَيَسْأَلُ، «**هَلْ تَرَكَ لِدَيْنِهِ مِنْ قَضَاءٍ**»؟ فَإِنْ حُدِّثَ أَنَّهُ تَرَكَ

[1] The word *Hawala* (الحوالة) has two meanings: First, a debtor can give a wealthy man's surety for the load given to him. This is permitted by *Shari'a*. Secondly, a debtor is allowed to consign his creditor to his own debtor. For example, A owes ten Dirhams to B, and B owes ten Dirhams to C. Now B is allowed to consign A to C. This is also permitted by *Shari'a* provided A agrees to it.

[2] It means that loan or other rights of human beings will not be forgiven unless these are forgiven by the rightful person or creditor. Even after death, they stand payable.

[3] Property to pay off his debt.

would pray over him, otherwise he would say, "Pray over your friend." But when Allâh brought the conquests at his hands he said, "I am closer to the believers than their ownselves, so if anyone dies leaving a debt I shall be responsible[1] for repaying it." [Agreed upon]. A version by Al-Bukhâri has: "If anyone dies and leaves nothing to discharge his debt."

وَفَاءً، صَلَّى عَلَيْهِ، وَإِلاَّ قَالَ: «صَلُّوا عَلَى صَاحِبِكُمْ»، فَلَمَّا فَتَحَ اللَّهُ عَلَيْهِ الْفُتُوحَ قَالَ: أَنَا أَوْلَى بِالْمُؤْمِنِينَ مِنْ أَنْفُسِهِمْ، فَمَنْ تُوُفِّيَ وَعَلَيْهِ دَيْنٌ، فَعَلَيَّ قَضَاؤُهُ. مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: فَمَنْ مَاتَ وَلَمْ يَتْرُكْ وَفَاءً.

**741.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (رضي الله عنهم): Allâh's Messenger صلى الله عليه وسلم said, "No surety is allowed regarding a prescribed punishment."[2] [Reported by At-Baihaqi with a weak *Isnâd*].

(٧٤١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ كَفَالَةَ فِي حَدٍّ». رَوَاهُ الْبَيْهَقِيُّ بِإِسْنَادٍ ضَعِيفٍ.

## Chapter 9
## PARTNERSHIP AND AGENCY

## ٩ - بَابُ الشَّرِكَةِ وَالوَكَالَةِ

**742.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh the Most High said, 'I am the third (partner) of two partners as long as one of them does not cheat his

(٧٤٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَالَ اللَّهُ تَعَالَى: أَنَا ثَالِثُ الشَّرِيكَيْنِ مَا لَمْ يَخُنْ

---

[1] My responsibility does not mean the person of the Prophet صلى الله عليه وسلم. In those day public exchequer was in the custody of the Prophet صلى الله عليه وسلم, therefore he said, "My responsibility". After the Prophet صلى الله عليه وسلم, this responsibility shifted to the head of the state, as it is clear from another *Hadîth*.

[2] *Hudûd* (الحدود) — Restrictives or penal ordinances of Islâm. There is no bail in *Hudûd*. For instance, there should be no bail in theft, adultery and fornication, slander and drinking wine. Why there should be no bail for these crimes? There are causes for it:

i) Basically bail is to strengthen the demand, whereas in applying *Hudûd*, the basic principle is that the proof against the accused should be made weak and benefit of doubt should go to the accused.

ii) Bail makes a delay in the process of decision making, and there is no surety that the accused will be proved innocent or punished. If the allegation is proved than there is no question of pardon in *Hudûd*.

iii) The guarantor has to produce the accused for trial; and in the absence of accused, the guarantor has to bear the responsibility, but the punishments of *Hudûd* are only applied on the culprit and not on anyone else.

companion, but when he cheats I depart from them.' "[1] [Reported by Abû Dâ'ud and Al-Hâkim graded it *Sahih* (sound)].

أَحَدُهُمَا صَاحِبَهُ، فَإِذَا خَانَ خَرَجْتُ مِنْ بَيْنِهِمَا». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**743.** Narrated As-Sâib Al-Makhzumi[2] رضي الله عنه: I was a partner with the Prophet صلى الله عليه وسلم before the Prophethood and when the day of Conquest (of Makka) came, he said, "Welcome my brother and my partner."[3] [Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah].

(٧٤٣) وَعَنِ السَّائِبِ الْمَخْزُومِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَانَ شَرِيكَ النَّبِيِّ ﷺ قَبْلَ الْبِعْثَةِ، فَجَاءَ يَوْمَ الْفَتْحِ، فَقَالَ: «مَرْحَباً بِأَخِي وَشَرِيكِي». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ.

**744.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: "Ammâr, Sa'd, and I agreed to be partners in whatever we would get of booties on the day of Badr." The reporter quoted the rest of the *Hadîth* which concludes: "Then Sa'd brought two captives, but neither 'Ammâr nor I brought anything." [Reported by An-Nasâ'i and others].

(٧٤٤) وَعَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: اشْتَرَكْتُ أَنَا وَعَمَّارٌ وَسَعْدٌ فِيمَا نُصِيبُ يَوْمَ بَدْرٍ، الْحَدِيثَ، وَتَمَامُهُ: «فَجَاءَ سَعْدٌ بِأَسِيرَيْنِ، وَلَمْ أَجِئْ أَنَا وَعَمَّارٌ بِشَيْءٍ. رَوَاهُ النَّسَائِيُّ وَغَيْرُهُ.

**745.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: I intended to go to Khaibar, so I went to the Prophet صلى الله عليه وسلم and he said, "When you meet my agent[4] at Khaibar take fifteen *Wasq* (of dates) from him." [Abû Dâ'ud reported and graded it *Sahih* (sound)].

(٧٤٥) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَرَدْتُ الْخُرُوجَ إِلَى خَيْبَرَ، فَأَتَيْتُ النَّبِيَّ ﷺ، فَقَالَ: «إِذَا أَتَيْتَ وَكِيلِي بِخَيْبَرَ، فَخُذْ مِنْهُ خَمْسَةَ عَشَرَ وَسْقاً». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ.

---

[1] It means that financial or physical partnership is lawful provided it is with honesty. Honest partnership brings profit and dishonest partnership brings loss to partners.

[2] Ibn Al-Jawzi mentioned in *At-Talqih* that his name was Saifi bin 'Aaidh Al-Makhzumi. Ibn 'Abdul-Barr said he was among *Al-Mu'allafat-ul-Qulub* and he became a good Muslim. He was old aged and lived up to the caliphate of Mu'âwiya.

[3] It means partnership was customary before the Prophet صلى الله عليه وسلم and Islâm refined its shape and let it continue.

[4] It means that regarding financial matters one can appoint an attorney. There is another *Hadîth* in which Jâbir asked the Prophet صلى الله عليه وسلم about the answer, if someone inquired him about a sign for the delivery of dates. The Prophet صلى الله عليه وسلم told him to put his hand on the palm of the inquirer as if the Prophet صلى الله عليه وسلم had already decided the sign.

**746.** Narrated 'Urwa Al-Bâriqi رضي الله عنه: Allah's Messenger صلى الله عليه وسلم sent him with a Dinar to buy a sacrificial animal for him. [The reporter mentioned the rest of the *Hadîth*. Al-Bukhâri reported it in the context of another previously mentioned *Hadîth*].

(٧٤٦) وَعَنْ عُرْوَةَ الْبَارِقِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ بَعَثَهُ بِدِينَارٍ لِيَشْتَرِيَ لَهُ أُضْحِيَةً، الْحَدِيثَ. رَوَاهُ الْبُخَارِيُّ فِي أَثْنَاءِ حَدِيثٍ، وَقَدْ تَقَدَّمَ

**747.** Narrated Abû Huraira رضي الله عنه: "Allâh's Messenger صلى الله عليه وسلم sent 'Umar to collect *Sadaqa*." The reporter mentioned the rest of the *Hadîth*. [Agreed upon].

(٧٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ عُمَرَ عَلَى الصَّدَقَةِ، الْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

**748.** Narrated Jâbir رضي الله عنه: "The Prophet صلى الله عليه وسلم slaughtered sixty-three (sacrificial) camels and ordered 'Ali[1] رضي الله عنه to slaughter the remainder." The reporter mentioned the rest of the *Hadîth*. [Reported by Muslim].

(٧٤٨) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَحَرَ ثَلَاثًا وَسِتِّينَ وَأَمَرَ عَلِيًّا رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنْ يَذْبَحَ الْبَاقِيَ، الْحَدِيثَ. رَوَاهُ مُسْلِمٌ.

**749.** Narrated Abû Huraira رضي الله عنه regarding the story of the hired servant: The Prophet صلى الله عليه وسلم said, "Unais, go to this man's wife, and if she confesses, stone her to death."[2] The reporter mentioned the rest of the *Hadîth*. [Agreed upon].

(٧٤٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي قِصَّةِ الْعَسِيفِ، قَالَ النَّبِيُّ ﷺ: «وَاغْدُ يَا أُنَيْسُ عَلَى امْرَأَةِ هَذَا، فَإِنِ اعْتَرَفَتْ فَارْجُمْهَا»، الْحَدِيثَ. مُتَّفَقٌ عَلَيْهِ.

## Chapter 10
## *AL-IQRAR*[3]
## (THE CONFESSION)

## ١٠ - بَابُ الْإِقْرَارِ

**750.** Narrated Abû Dhar رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said to me, "Say the truth even though it is

(٧٥٠) عَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «قُلِ الْحَقَّ

[1] It means that appointing an attorney for sacrifice (of animals) is also lawful.

[2] It means that appointment of an attorney to enforce the punishment of *Hudûd* is lawful.

[3] *Iqrâr* (الإقرار) means to prove something, and according to *Shari'a* terminology, *Iqrâr* means to impose the commands of *Shari'a* upon oneself.

hard." [Ibn Hibbân graded it *Sahih* (sound) as a part of a long *Hadîth*].

وَلَوْ كَانَ مُرًّا». وَصَحَّحَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ طَوِيلٍ.

## Chapter 11 *AL-'AARIYA*[1] (THE LOAN)

## ١١ - بَابُ الْعَارِيَةِ

**751.** Narrated Samura bin Jundub رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The hand which takes is responsible till it pays." [Reported by Ahmad and *Al-Arba'a*; Al-Hâkim graded it *Sahih* (sound)].

(٧٥١) عَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «عَلَى الْيَدِ مَا أَخَذَتْ، حَتَّى تُؤَدِّيَهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ الْحَاكِمُ.

**752.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Give back what has been entrusted to you to him who trusts you, and do not cheat him who cheats you." [Reported by At-Tirmidhi and Abû Dâ'ud; At-Tirmidhi graded it *Hasan* (fair) and Al-Hâkim graded it *Sahih* (sound). Abû Hâtim Ar-Râzi disapproved it].

(٧٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَدِّ الْأَمَانَةَ إِلَى مَنِ ائْتَمَنَكَ، وَلَا تَخُنْ مَنْ خَانَكَ»: رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ، وَصَحَّحَهُ الْحَاكِمُ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ الرَّازِيُّ.

**753.** Narrated Ya'la bin Umaiya رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said to me, "When my messengers come to you, give them thirty coats of mail" I asked, "O Allâh's Messenger, is it a loan with a guarantee of its return, or a loan that must be paid back?" He replied, "No, it is a loan with a guarantee of its return"[2] [Reported by Ahmad, Abû Dâ'ud and

(٧٥٣) وَعَنْ يَعْلَى بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «إِذَا أَتَتْكَ رُسُلِي فَأَعْطِهِمْ ثَلَاثِينَ دِرْعاً»، قُلْتُ: يَا رَسُولَ اللهِ! أَعَارِيَةٌ مَضْمُونَةٌ، أَوْ عَارِيَةٌ مُؤَدَّاةٌ؟ قَالَ: بَلْ عَارِيَةٌ مُؤَدَّاةٌ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

[1] *'Aariya* (العارية) means making the use of one's property or its profit lawful for another.

[2] In Arabic, *'Aariya Madmûna* (عارية مضمونة) means loan and *'Aariya Mu'adda* (عارية مؤداة) means a borrowed object. Regarding a loan, guarantee is essential. Suppose somebody takes an object on loan and the object borrowed is destroyed or damaged while in his custody, it is agreed upon that he will have to bear the loss, that is why it is called *'Aariya Madmuna*. If somebody borrows an object on trust for a while and that object is destroyed or damaged while in his custody, he will not be charged for the loss or damage.

An-Nasâ'i. Ibn Hibbân graded it *Sahih* (sound)].

**754.** Narrated Safwân bin Umaiya[1] رضي الله عنه: At the battle of Hunain, the Prophet صلى الله عليه وسلم borrowed coats of mail from him and he asked, "Are you taking them by force, O Muhammad (صلى الله عليه وسلم)?" He replied, "No, it is a loan with a guarantee of their return."[2] [Reported by Abû Dâ'ud and An-Nasâ'i; Al-Hâkim graded it *Sahih* (sound)].

(٧٥٤) وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ، أَنَّ النَّبِيَّ ﷺ اسْتَعَارَ مِنْهُ دُرُوعاً يَوْمَ حُنَيْنٍ، فَقَالَ: أَغَصْباً يَا مُحَمَّدُ (ﷺ)؟ قَالَ: «بَلْ عَارِيَةٌ مَضْمُونَةٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ، وَأَخْرَجَ لَهُ شَاهِداً ضَعِيفاً عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

## Chapter 12
## *AL-GHASB*[3] (THE WRONGFUL APPROPRIATION)

## ١٢ - بَابُ الْغَصْبِ

**755.** Narrated Sa'îd bin Zaid رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone takes a span of land unjustly, on the Day of Resurrection Allâh will put around his neck its size taken from seven earths."[4] [Agreed upon].

(٧٥٥) عَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنِ اقْتَطَعَ شِبْراً مِنَ الأَرْضِ ظُلْماً، طَوَّقَهُ اللَّهُ إِيَّاهُ يَوْمَ الْقِيَامَةِ مِنْ سَبْعِ أَرَضِينَ». مُتَّفَقٌ عَلَيْهِ.

**756.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم was with one of

(٧٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى

---

[1] He is Safwân bin Umayia bin Khalaf bin Wahb Al-Qurashi Al-Jumahi Al-Makki, a *Sahâbi* among *Al-Mu'allafat-ul-Qulub.* He was one of the noble men of Quraish. He ran away on the day of the conquest of Makka and returned after the Prophet صلى الله عليه وسلم accepted the request of giving him an amnesty. He then attended with the Prophet صلى الله عليه وسلم the battle of Hunain while still a *Kafir*, he then became a Muslim and a good one too. He died during the days of the killing of 'Uthmân رضي الله عنه.

[2] If somebody borrows a thing, and it is damaged by chance, the borrower will not be charged for that, but if it is proved that the damage is intentional or the result of his carelessness then he will have to pay for it.

[3] *Ghasb* (الغصب) means taking other's property or belongings by force or usurpation.

[4] It means that the usurpation of other's land is a major sin. Usurpation of land is to take over the land of others by force and start cultivation.

his wives when one[1] of the Mothers of the Believers sent a bowl containing food with a servant of hers. Then she struck with her hand and the bowl was broken. He collected the pieces of the bowl and began to collect the food in it and said, "You eat"[2], and gave a sound bowl to the messenger and kept the broken one. [Reported by Al-Bukhâri and At-Tirmidhi] The latter named the one who broke it as 'Aisha (رضي الله عنها) and added: The Prophet صلى الله عليه وسلم then said, "Food for food, and a vessel for a vessel."[3] [At-Tirmidhi also graded it *Sahih* (sound)].

عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ عِنْدَ بَعْضِ نِسَائِهِ، فَأَرْسَلَتْ، إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ مَعَ خَادِمٍ لَّهَا بِقَصْعَةٍ فِيهَا طَعَامٌ، فَضَرَبَتْ يَدَهَا فَكَسَرَتِ الْقَصْعَةَ، فَضَمَّهَا، وَجَعَلَ فِيهَا الطَّعَامَ وَقَالَ: كُلُوا، وَدَفَعَ الْقَصْعَةَ الصَّحِيحَةَ لِلرَّسُولِ، وَحَبَسَ الْمَكْسُورَةَ. رَوَاهُ الْبُخَارِيُّ وَالتِّرْمِذِيُّ، وَسَمَّى الضَّارِبَةَ عَائِشَةَ، وَزَادَ: «فَقَالَ النَّبِيُّ ﷺ: «**طَعَامٌ بِطَعَامٍ وَإِنَاءٌ بِإِنَاءٍ**». وَصَحَّحَهُ.

**757.** Narrated Râfi' bin Khadij رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone sows in other people's land without their permission, he has no right to any of the crop, but he may have what he spent[4] on it." [Reported by Ahmad and *Al-Arba'a* except An-Nasâ'i. At-Tirmidhi graded it *Sahih* (sound), but it has been said that Al-Bukhâri proved it weak].

(٧٥٧) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَنْ زَرَعَ فِي أَرْضِ قَوْمٍ بِغَيْرِ إِذْنِهِمْ، فَلَيْسَ لَهُ مِنَ الزَّرْعِ شَيْءٌ، وَلَهُ نَفَقَتُهُ**». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَيُقَالُ: إِنَّ الْبُخَارِيَّ ضَعَّفَهُ.

---

[1] This was Safiya رضي الله عنها who had sent this meal.

[2] Speaking to those who were with him.

[3] There is a difference of opinion on this issue if a thing is broken or damaged from the borrower, he will have to pay the price or replace the thing similar to that. This difference of opinion is limited to priceable objects only, regarding other things, the object or thing should be similar to that of broken or damaged. Returning of similar object is preferred by this *Hadith*.

[4] If somebody starts cultivating the land of someone other without the prior permission of the owner, he is not rightful of any produce. At the most he can claim is, the price of the seed and rest of the produce will go to the owner.

**758.** Narrated 'Urwa bin Az-Zubair[1] رضي الله عنه: A man among the Companions of Allâh's Messenger صلى الله عليه وسلم said, "Two men brought a dispute before Allâh's Messenger صلى الله عليه وسلم concerning a land in which one of them had planted palm trees and the land belonged to the other, so Allâh's Messenger صلى الله عليه وسلم ruled that the land belongs to its owner and commanded the owner of the palm trees to uproot his palm trees, and he said, "The labour of an unjust person[2] has no dues." [Reported by Abû Dâ'ud and its chain of narrators is *Hasan*. The quoted part of the aforesaid *Hadith* is found in the books of the authors of *As-Sunan* from 'Urwa's version on the authority of Sa'îd bin Zaid, but there is disagreement regarding whether it is *Mawsûl* or *Mursal* and the determination of the name of the Companion who first quoted it from the Prophet صلى الله عليه وسلم.

(٧٥٨) وَعَنْ عُرْوَةَ بْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَجُلٌ مِّنْ أَصْحَابِ رَسُولِ اللهِ ﷺ: إِنَّ رَجُلَيْنِ اخْتَصَمَا إِلَى رَسُولِ اللهِ ﷺ فِي أَرْضٍ غَرَسَ أَحَدُهُمَا فِيهَا نَخْلاً وَالأَرْضُ لِلآخَرِ، فَقَضَى رَسُولُ اللهِ ﷺ بِالأَرْضِ لِصَاحِبِهَا، وَأَمَرَ صَاحِبَ النَّخْلِ أَنْ يُخْرِجَ نَخْلَهُ: وَقَالَ: **لَيْسَ لِعِرْقٍ ظَالِمٍ حَقٌّ**. رَوَاهُ أَبُو دَاوُدَ، وَإِسْنَادُهُ حَسَنٌ. وَآخِرُهُ عِنْدَ أَصْحَابِ السُّنَنِ مِنْ رِوَايَةِ عُرْوَةَ عَنْ سَعِيدِ ابْنِ زَيْدٍ، وَاخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ، وَفِي تَعْيِينِ صَحَابِيِّهِ.

**759.** Narrated Abû Bakra رضي الله عنه: In his *Khutba* (religious talk — sermon) on the Day of Sacrifice at Mina, the Prophet صلى الله عليه وسلم said, "Your blood and your property and your honours have been sanctioned against violations by you, like the sacredness of this day of yours, in this month of

(٧٥٩) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي خُطْبَتِهِ يَوْمَ النَّحْرِ بِمِنًى: «**إِنَّ دِمَاءَكُمْ وَأَمْوَالَكُمْ وَأَعْرَاضَكُمْ عَلَيْكُمْ حَرَامٌ، كَحُرْمَةِ يَوْمِكُمْ هَذَا، فِي بَلَدِكُمْ هَذَا، فِي شَهْرِكُمْ هَذَا**». مُتَّفَقٌ عَلَيْهِ.

---

[1] He is Abû 'Abdullâh 'Urwa bin Az-Zubair bin Al-'Awwâm bin Khuwailid Al-Asadi Al-Madâni who was one of the great *Tabi'in* and one of the seven *Fiqh* scholars in Al-Madîna. He was a reliable and prominent *Fiqh* scholar. He was born at the beginning of 'Umar's Caliphate. It is also said that he was born in 23 H. and died in 94 H. as has been correctly established.

[2] The Arabic word *Zâlim* (ظالم) in this context means cruel or unjust or a person who builds a house, starts cultivation or plants the trees in someone other's land.

yours, in this town of yours."[1] [Agreed upon].

## Chapter 13 *ASH-SHUF'A*[2] (THE OPTION TO BUY NEIGHBOURING PROPERTY)

## ١٣ - بَابُ الشُّفْعَةِ

**760.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم decreed that the right to buy a neighbouring property is applicable to everything which is not divided but when boundaries are fixed and separate roads made there is no partner's option." [Agreed upon; the version being of Al-Bukhâri]. Muslim's version has: "The right to buy a neighbouring property is applicable to everything which is shared, whether a land, a dwelling or a garden and it is not lawful to sell before informing one's partner."[3] At-Tahâwi's version has: "The Prophet صلى الله عليه وسلم decreed the right of partner's option regarding everything." [Its narrators are reliable].

(٧٦٠) عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا قَالَ: قَضَى رَسُولُ اللهِ ﷺ بِالشُّفْعَةِ فِي كُلِّ مَا لَمْ يُقْسَمْ، فَإِذَا وَقَعَتِ الْحُدُودُ وَصُرِّفَتِ الطُّرُقُ فَلاَ شُفْعَةَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَفِيْ رِوَايَةِ مُسْلِمٍ: الشُّفْعَةُ فِيْ كُلِّ شِرْكٍ، فِي أَرْضٍ، أَوْ رَبْعٍ، أَوْ حَائِطٍ، لاَ يَصْلُحُ أَن يَبِيْعَ حَتَّى يَعْرِضَ عَلَى شَرِيْكِهِ. وَفِي رِوَايَةِ الطَّحَاوِيِّ: «قَضَى النَّبِيُّ ﷺ بِالشُّفْعَةِ فِي كُلِّ شَيْءٍ». وَرِجَالُهُ ثِقَاتٌ.

**761.** Narrated Abû Râfi' رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The neighbour has more right to be

(٧٦١) وَعَنْ أَبِيْ رَافِعٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْجَارُ

---

[1] This *Hadith* is mentioned here merely to show that to usurp the property of a Muslim is unlawful, and all agree on this point.

[2] It should be known that *Shuf'a* — pre-emption is on immovable property only, such as house, shop, garden or land, etc. There is a difference of opinion among religious scholars on the question 'Who has the right of pre-emption?' Some of the scholars say that only a partner of the sold property has got the right of pre-emption, merely a neighbour has no right. Some others say that a neighbour has also got the right. Ibn Qaiyim says that a neighbour who is not a partner in the sold property but has the common entrance, has also got the right of pre-emption, and that temporary absence of the partner does not annul his right.

[3] It means that the seller should inform his partner about the sale of property beforehand.

أَحَقُّ بِصَقَبِهِ». أَخْرَجَهُ الْبُخَارِيُّ، وَفِيهِ قِصَّةٌ.

given preference." [Al-Bukhâri reported it and it involves a long story.[1]]

(٧٦٢) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «جَارُ الدَّارِ أَحَقُّ بِالدَّارِ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ عِلَّةٌ.

**762.** Narrated Anas bin Mâlik رضی الله عنه: Allâh's Messenger صلی الله علیه وسلم said, "The neighbour of the house has the most right to buy it." [Reported by An-Nasâ'i and Ibn Hibbân graded it *Sahih*, but it has a defect concerning its narration through two different chains of narrators].

(٧٦٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْجَارُ أَحَقُّ بِشُفْعَةِ جَارِهِ، يُنْتَظَرُ بِهَا، وَإِنْ كَانَ غَائِباً، إِذَا كَانَ طَرِيقُهُمَا وَاحِداً». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَرِجَالُهُ ثِقَاتٌ.

**763.** Narrated Jâbir رضی الله عنه: Allâh's Messenger صلی الله علیه وسلم said, "The neighbour is most entitled to the right of option to buy his neighbour's property and its exercise should be waited for, even if he is absent, when the two properties have one road." [Reported by Ahmad and *Al-Arba'a*; its narrators are reliable].

(٧٦٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «الشُّفْعَةُ كَحَلِّ الْعِقَالِ». رَوَاهُ ابْنُ مَاجَهْ وَالْبَزَّارُ، وَزَادَ: «وَلاَ شُفْعَةَ لِغَائِبٍ». وَإِسْنَادُهُ ضَعِيفٌ.

**764.** Narrated Ibn 'Umar رضی الله عنهما: The Prophet صلی الله علیه وسلم said, "The right to buy neighbouring property is like loosening a strap." [Reported by Ibn Mâjah and Al-Bazzâr, who added: "There is no option to buy a neighbouring property to one who is absent."[2] Its chain of narrators is weak].

---

[1] The story goes like this that Abû Rafi' said to Miswar bin Makhrama to approach Sa'd and tell him to buy his (Abû Râfi') houses which were located within the boundary walls of his (Sa'd's) big house. Miswar talked to Sa'd about the matter. Sa'd agreed to pay four hundred Dinar (gold coin) only for his (Abû Rafi') house and also offered to pay the money lumpsum or in instalments, as Abû Rafi' wishes. On hearing this Abû Rafi' said that he did not sell these houses for five hundred Dinars on cash because he had heard it from the Prophet صلی الله علیه وسلم that neighbours have more right than others. He also said that had he not heard it from the Prophet صلی الله علیه وسلم he would have never asked him to buy his house.

[2] Knot of a camel means that as soon as the knee of the camel is untied, he immediately stands up, similarly as soon as a property is sold or the person having the right of pre-

## Chapter 14
## *AL-QIRAD*[1]

## ١٤ - بَابُ الْقِرَاضِ

**765.** Narrated Suhaib[2] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "There are three things which contain blessings: A business transaction in which payment is agreed on a fixed later time, taking and paying of loan, and mixing wheat and barley for one's household use but not for sale." [Reported by Ibn Mâjah through a weak chain of narrators].

(٧٦٥) عَنْ صُهَيْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**ثَلاثٌ فِيهِنَّ الْبَرَكَةُ الْبَيْعُ إِلَى أَجَلٍ، وَالْمُقَارَضَةُ، وَخَلْطُ الْبُرِّ بِالشَّعِيرِ لِلْبَيْتِ، لاَ لِلْبَيْعِ**». رَوَاهُ ابْنُ مَاجَهْ بِإِسْنَادٍ ضَعِيفٍ.

**766.** Narrated Al-Hâkim bin Hizâm رضي الله عنه: He used to make a condition on the man to whom he gave his property to trade with and the profit being shared between both, but any loss falling on the property that: "You should not trade with my property in living beings, transport it by sea, or settle with it at the bottom of a ravine; and if you do any of the aforesaid acts you should then guarantee my property." [Ad-Dâraqutni reported it and its narrators are reliable].

(٧٦٦) وَعَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَانَ يَشْتَرِطُ عَلَى الرَّجُلِ، إِذَا أَعْطَاهُ مَالاً مُقَارَضَةً، أَن لاَّ تَجْعَلَ مَالِيْ فِي كَبِدٍ رَطْبَةٍ، وَلاَ تَحْمِلَهُ فِيْ بَحْرٍ، وَلاَ تَنْزِلَ بِهِ فِي بَطْنِ مَسِيْلٍ، فَإِنْ فَعَلْتَ شَيْئاً مِنْ ذٰلِكَ، فَقَدْ ضَمِنْتَ مَالِي. رَوَاهُ الدَّارَقُطْنِيُّ، وَرِجَالُهُ ثِقَاتٌ.

---

emption, comes to know about the sale of property, he should immediately use his right; delay will make his right invalid and his right of pre-emption will not be accepted.

[1] In this context *Qirâd* (القراض — Loan) means that one person invests the money and the other invests his physical labour in the work, and both of them divide the profit; and if loss occurs, it falls on the property. It is lawful. It is also called *Mudâraba* (المضاربة).

[2] He is Abû Yahya Suhaib bin Sinân Ar-Rumi. He was originally an Arab belonging to the tribe of An-Nimir bin Qâsit bin Wa'il and he was captured by the Byzantines while a young boy. He then grew up among them and was counted as one of them. It is said that when he grew up and became mature, he ran away from them and came to Makka where he became the ally of 'Abdullâh bin Jad'ân. It is also said that Banu Kalb bought him from the Byzantines, brought him to Makka and was then bought by 'Abdullâh bin Jad'ân. Suhaib was a prominent *Sahâbi* who became a Muslim early and was persecuted because of Allâh. He then migrated to Al-Madîna and died in it in 38 H.

Mâlik said in *Al-Muwatta'* from Al-'Alâ'[1] bin 'Abdur-Rahmân bin Ya'qûb from his father[2] on the authority of his grandfather[3] that he traded with the property belonging to 'Uthmân (رضي الله عنه) so that the profit would be divided in halves between both of them.[4] [This *Hadîth* is *Mawqûf* (untraceable) and *Sahih* (sound)].

وَقَالَ مَالِكٌ فِي الْمُوَطَّأِ عَنِ الْعَلَاءِ بْنِ عَبْدِ الرَّحْمٰنِ بْنِ يَعْقُوبَ، عَنْ أَبِيهِ عَنْ جَدِّهِ: أَنَّهُ عَمِلَ فِي مَالٍ لِعُثْمَانَ، عَلَى أَنَّ الرِّبْحَ بَيْنَهُمَا. وَهُوَ مَوْقُوفٌ صَحِيحٌ.

## Chapter 15
## *AL-MUSAQAT*[5] AND *AL-IJARA*[6] (TENDING PALM-TREES AND THE WAGES)

## ١٥ - بَابُ الْمُسَاقَاةِ وَالْإِجَارَةِ

**767.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم had agreed with the people of Khaibar to give (to the Muslim authority) half

(٧٦٧) عَنِ ابْنِ عُمَرَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللّٰهِ ﷺ عَامَلَ أَهْلَ خَيْبَرَ بِشَطْرِ مَا يَخْرُجُ مِنْهَا مِنْ ثَمَرٍ أَوْ زَرْعٍ. مُتَّفَقٌ

[1] He is Abû Shibl Al-'Alâ' bin 'Abdur-Rahmân bin Ya'qûb Al-Juhani, the manumitted slave of Al-Huraqa Al-Madâni. He was one of the prominent young *Tabi'in* of the fifth generation. He was truthful but perhaps got confused at times regarding the *Hadîth*. Ahmad and others verified his reliability. Al-Wâqidi said that he died during the caliphate of Al-Mansûr.

[2] 'Abdur-Rahmân bin Ya'qûb Al-Juhani was among the middle *Tabi'in* and was counted among the third generation. He heard *Ahadîth* from his father, Abû Huraira and from Abû Sa'îd Al-Khudri.

[3] Ya'qûb Al-Juhani was a manumitted slave of Al-Huraqa and was among the elders of the second generation of the *Tabi'in*. He lived during the lifetime of 'Umar bin Al-Khattâb and was among the narrators of few *Ahadîth*.

[4] *Mudâraba* (المضاربة) or *Qirâd* (القراض) is a sort of contract. In it ignorance of compensation / wage is pardoned out of general necessity of people. If the loss is due to the carelessness or deliberate mistake of the worker, he will be held responsible for it, otherwise not. Similarly in doing against the conditions or instructions of investor, the copartner of business will be held responsible in case of loss.

[5] Watering and doing watchman's job in the fields or gardens and sharing the produce or cultivating the land and sharing the produce with the owner is called *Musâqât* (المساقاة). This is also called *Muzâra'a* (المزارعة). The difference between *Musâqât* and *Muzâra'a* is that first mentioned is for grains and the last mentioned is for fruit trees.

[6] Making someone partner in profit or to rent out a thing to someone is called *Ijâra* (الإجارة).

what it produced of fruits or crops. [Agreed upon].

عَلَيْهِ.

A version by Al-Bukhâri and Muslim has: They asked him (صلى الله عليه وسلم) to confirm them in it on condition that they should do all the cultivation and have half the dates. Allâh's Messenger صلى الله عليه وسلم replied them, "We shall confirm you in it on that condition as long as we wish." So they were confirmed in it till 'Umar (رضي الله عنه) deported them.

وَفِيْ رِوَايَةٍ لَهُمَا: فَسَأَلُوا أَنْ يُقِرَّهُمْ بِهَا، عَلَى أَنْ يَكْفُوا عَمَلَهَا، وَلَهُمْ نِصْفُ الثَّمَرِ، فَقَالَ لَهُمْ رَسُولُ اللهِ ﷺ: «نُقِرُّكُمْ بِهَا عَلَى ذَلِكَ مَا شِئْنَا»، فَقَرُّوا بِهَا، حَتَّى أَجْلاَهُمْ عُمَرُ.

Muslim has: Allâh's Messenger صلى الله عليه وسلم handed over to the Jews of Khaibar, the palm-trees and the land of Khaibar on condition that they should employ their own resources in working on it and keep half of its produce.[1]

وَلِمُسْلِمٍ: أَنَّ رَسُولَ اللهِ ﷺ دَفَعَ إِلَى يَهُوْدِ خَيْبَرَ نَخْلَ خَيْبَرَ وَأَرْضَهَا، عَلَى أَنْ يَعْتَمِلُوهَا مِنْ أَمْوَالِهِمْ، وَلَهُمْ شَطْرُ ثَمَرِهَا.

**768.** Narrated Hanzala bin Qais (رضي الله عنه): I asked Râfi' bin Khadij رضي الله عنه about letting out land for gold and silver and he replied, "There would be no harm in that for the people used to let out land in the time of Allâh's Messenger صلى الله عليه وسلم for what grew by the streamlets, and the edges of the brooks or for something of the crop; but sometimes this portion of the crop would be destroyed[2] while the other is saved, or vice-versa, thus no wages were payable to the people (the owners of the land) except for the portion which produced a crop." Therefore, he rebuked (practising) it but for something known and

(٧٦٨) وَعَنْ حَنْظَلَةَ بْنِ قَيْسٍ، قَالَ: سَأَلْتُ رَافِعَ بْنَ خَدِيْجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنْ إِكْرَاءِ الْأَرْضِ بِالذَّهَبِ وَالْفِضَّةِ، فَقَالَ: لاَ بَأْسَ بِهِ، إِنَّمَا كَانَ النَّاسُ يُؤَاجِرُوْنَ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ عَلَى الْمَاذِيَانَاتِ، وَأَقْبَالِ الْجَدَاوِلِ، وَأَشْيَاءَ مِنَ الزَّرْعِ، فَيَهْلِكُ هٰذَا وَيَسْلَمُ هٰذَا، وَيَسْلَمُ هٰذَا وَيَهْلِكُ هٰذَا، وَلَمْ يَكُنْ لِلنَّاسِ كِرَاءٌ إِلاَّ هٰذَا، فَلِذٰلِكَ زَجَرَ عَنْهُ، فَأَمَّا شَيْءٌ مَعْلُوْمٌ مَضْمُونٌ، فَلاَ بَأْسَ بِهِ. رَوَاهُ مُسْلِمٌ.

[1] This *Hadîth* provides the proof of *Musâqât* (المساقاة) and *Muzâra'a* (المزارعة).

[2] It means that the fields in low lying areas or on the banks of canals would ruin in floods and the fields on highlands would remain safe and it would happen reverse in drought.

guaranteed there would be then no harm in it. [Muslim reported it].

It includes an account of what was summed up by Al-Bukhâri and Muslim regarding the general forbiddance of letting out land.

وَفِيهِ بَيَانٌ لِمَا أُجْمِلَ فِي الْمُتَّفَقِ عَلَيْهِ مِنْ إِطْلَاقِ النَّهْيِ عَنْ كِرَاءِ الْأَرْضِ.

**769.** Narrated Thâbit bin Dahhâk رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade employing people on land for a share of the produce[1] and ordered that they should be employed for wages.[2] [Reported by Muslim].

(٧٦٩) وَعَنْ ثَابِتِ بْنِ الضَّحَّاكِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنِ الْمُزَارَعَةِ، وَأَمَرَ بِالْمُؤَاجَرَةِ. رَوَاهُ مُسْلِمٌ أَيْضاً.

**770.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم had himself cupped and gave the one who cupped him his pay; and if it was prohibited he would not give him (his pay). [Reported by Al-Bukhâri].

(٧٧٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ قَالَ: احْتَجَمَ رَسُولُ اللهِ ﷺ، وَأَعْطَى الَّذِي حَجَمَهُ أَجْرَهُ، وَلَوْ كَانَ حَرَاماً لَمْ يُعْطِهِ. رَوَاهُ الْبُخَارِيُّ.

**771.** Narrated Râfi' bin Khadij رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The earnings of a cupper are impure."[3] [Reported by Muslim].

(٧٧١) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: كَسْبُ الْحَجَّامِ خَبِيثٌ. رَوَاهُ مُسْلِمٌ.

**772.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh Who is Great and Glorious have said, 'There are three whose adversary I shall be on the Day of Resurrection: A man who gave a

(٧٧٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «قَالَ اللَّهُ عَزَّ وَجَلَّ: ثَلَاثَةٌ أَنَا خَصْمُهُمْ يَوْمَ الْقِيَامَةِ، رَجُلٌ أَعْطَى بِي ثُمَّ غَدَرَ، وَرَجُلٌ بَاعَ حرًّا

---

[1] In Arabic, *Muzâra'a* (المزارعة) means to give the land for cultivation to someone and divide the produce. The Prophet صلى الله عليه وسلم did not stop or prevent from this, however when land was less and *Ansâr* and *Muhâjirîn* were more in number, he ordered as a measure of expediency to cultivate the land as much as one can, and not to give the rest of the land on produce-share basis or *Muzâra'a*, but to give the land on *Ijâra* or on rent, because *Ijâra* provided some ease to the tenants. Afterwards when land was enough for all, this restriction was lifted.

[2] The word used in Arabic is *Ijâra* (الإجارة) which means to rent out the land for a fixed period, and it is lawful.

[3] In Arabic *Khabîth* (خبيث) means a mean and base work, it does not mean unlawful. Sometimes the word *Khabith* is spoken metaphorically in the meaning of mean and base.

promise in My Name and then betrayed; a man who sold a free man and consumed his price; and a man who hired a servant and, after receiving full service from him, did not give him his wages.' "[1] [Reported by Muslim].

فَأَكَلَ ثَمَنَهُ، وَرَجُلٌ اسْتَأْجَرَ أَجِيراً فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِهِ أَجْرَهُ». رَوَاهُ مُسْلِمٌ.

**773.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The most worthy thing for which you receive payment is Allâh's Book."[2] [Reported by Al-Bukhâri].

(٧٧٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: **«إِنَّ أَحَقَّ مَا أَخَذْتُمْ عَلَيْهِ أَجْراً كِتَابُ اللَّهِ»**. أَخْرَجَهُ الْبُخَارِيُّ.

**774.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Give the hireling his wage before his sweat dries."[3] [Reported by Ibn Mâjah].

Abû Ya'la and Al-Baihaqi reported something to the same effect on the subject of wages from Abû Huraira رضي الله عنه. At-Tabarâni also reported something similar from Jâbir; but all these *Ahâdith* are weak.

(٧٧٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«أَعْطُوا الْأَجِيرَ أَجْرَهُ، قَبْلَ أَنْ يَجِفَّ عَرَقُهُ»**. رَوَاهُ ابْنُ مَاجَهْ.

وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عِنْدَ أَبِي يَعْلَى وَالْبَيْهَقِيِّ، وَجَابِرٍ عِنْدَ الطَّبَرَانِيِّ، وَكُلُّهَا ضِعَافٌ.

**775.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When anyone hires a hireling he should pay him all his wages."[4] [Reported by 'Abdur-Razzâq, but

(٧٧٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنِ اسْتَأْجَرَ أَجِيراً فَلْيُسَمِّ لَهُ أُجْرَتَهُ»**، رَوَاهُ عَبْدُ

---

[1] In this *Hadîth* it has been emphasized to pay the wages of a labourer. Nowadays mostly the people are unfair in their dealing and dishonest in making the payment.

[2] This *Hadîth* clearly shows that accepting the wages for copying and teaching the noble Qur'ân and *Hadîth* is lawful.

[3] It means that the wages of a labourer must be paid immediately. He who does not pay the wages of labour, Allâh will be a claimant on the Day of Judgement from him.

[4] It means that wages for the labour should be settled in advance to avoid the subsequent dispute. Similarly in all alike matters of *Mudaraba*, *Salam*, *Muzara'a*, *Muwajara*, etc. The same principle which *Shari'a* has decided is applicable, and everybody should abide by this principle.

there is *Inqitâ'* (omission) in it, but Al-Baihaqi proved it *Mawsûl* through the narration of Abû Hanifa].

الرَّزَّاقِ، وَفِيهِ انْقِطَاعٌ، وَوَصَلَهُ الْبَيْهَقِيُّ مِنْ طَرِيقِ أَبِي حَنِيفَةَ.

## Chapter 16 THE CULTIVATION OF BARREN LANDS

## ١٦ - بَابُ إِحْيَاءِ الْمَوَاتِ

**776.** Narrated 'Urwa from 'Aisha رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "He who develops land which has no owner, has the most right to it." [Reported by Al-Bukhâri] 'Urwa said that 'Umar ruled according to that during his caliphate.

(٧٧٦) وَعَنْ عُرْوَةَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: **«مَنْ عَمَّرَ أَرْضاً لَيْسَتْ لِأَحَدٍ فَهُوَ أَحَقُّ بِهَا»**، رَوَاهُ الْبُخَارِيُّ. قَالَ عُرْوَةُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: وَقَضَى بِهِ عُمَرُ فِي خِلَافَتِهِ.

**777.** Narrated Sa'îd bin Zaid رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone makes a barren land productive, it belongs to him."[1] [Reported by *Ath-Thalatha*; At-Tirmidhi graded it *Hasan* saying that it was reported in a *Mursal* form which is the case but there is disagreement regarding the Companion who first quoted it from the Prophet صلى الله عليه وسلم, it was said that it was Jâbir, 'Aisha or 'Abdullâh bin 'Umar, and it is preponderated that it was the first one (i.e. Jâbir)]

(٧٧٧) وَعَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ أَحْيَا أَرْضاً مَيْتَةً. فَهِيَ لَهُ»**. رَوَاهُ الثَّلَاثَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَقَالَ: رُوِيَ مُرْسَلاً، وَهُوَ كَمَا قَالَ، وَاخْتُلِفَ فِي صَحَابِيِّهِ، فَقِيلَ: جَابِرٌ، وَقِيلَ: عَائِشَةُ، وَقِيلَ: عَبْدُ اللهِ بْنُ عُمَرَ، وَالرَّاجِحُ الْأَوَّلُ.

**778.** Narrated Ibn 'Abbâs رضي الله عنه that As-Sa'b bin Jaththâma Al-Laithi رضي الله عنه told him that the Prophet صلى الله عليه وسلم had said, "There is no preserve[2] except what belongs to

(٧٧٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ الصَّعْبَ بْنَ جَثَّامَةَ اللَّيْثِيَّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَخْبَرَهُ، أَنَّ النَّبِيَّ ﷺ

[1] It means that he who cultivates the uncommanded and barren land, it belongs to him, provided this land is not the property of any Muslim or *Dhimmi* (الذمي — a non-Muslim living in a Muslim State]. Some religious scholars have the opinion that a prior permission of state is also necessary and according to others it is not.

[2] In the Period of Ignorance, it was customary that the chief used to reserve the fertile piece of land as grazing grounds for his own cattle. This is prohibited in Islâm. A ruler or head of the state can reserve the land for the cattle given as charity in the way of Allâh. The land

Allâh and His Messenger." [Reported by Al-Bukhâri].

قَالَ: «لاَ حِمَى إِلاَّ لِلَّهِ وَلِرَسُولِهِ». رَوَاهُ الْبُخَارِيُّ.

**779.** Narrated (Ibn 'Abbâs) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "You should neither harm yourself nor cause harm to others."[1] [Reported by Ahmad and Ibn Mâjah]. Ibn Mâjah reported something similar to the aforesaid *Hadîth* from Abû Sa'îd's narration; it is found in *Al-Muwatta'* in a *Mursal* form.

(٧٧٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ ضَرَرَ وَلاَ ضِرَارَ». رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَلَهُ مِنْ حَدِيثِ أَبِي سَعِيدٍ مِثْلُهُ، وَهُوَ فِي الْمُوَطَّأِ مُرْسَلٌ.

**780.** Narrated Samura bin Jundub رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone puts a wall around a barren land, it belongs to him."[2] [Reported by Abû Dâ'ud and Ibn Al-Jârûd graded it *Sahih* (sound)].

(٧٨٠) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَحَاطَ حَائِطاً عَلَى أَرْضٍ فَهِيَ لَهُ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الْجَارُودِ.

**781.** Narrated 'Abdullâh bin Mughaffal رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone digs a well, he has forty cubits (of land) as resting place for his animals[3] near the water." [Reported by Ibn Mâjah through a weak chain of narrators].

(٧٨١) وَعَنْ عَبْدِ اللهِ بْنِ مُغَفَّلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ حَفَرَ بِئْراً فَلَهُ أَرْبَعُونَ ذِرَاعاً، عَطَناً لِمَاشِيَتِهِ». رَوَاهُ ابن مَاجَه بِإِسْنَادٍ ضَعِيفٍ.

**782.** Narrated 'Alqama bin Wâ'il[4] from his father رضي الله عنه: "The

(٧٨٢) وَعَنْ عَلْقَمَةَ بْنِ وَائِلٍ، عَنْ أَبِيهِ

---

reserved for "charity cattle" will belong to "Allâh and to His Messenger." The head of the state cannot use this land for his own herds.

[1] In Arabic, *Darar* (ضرر) means to harm or to hurt somebody else and *Dirar* (ضرار) means to harm or to hurt one's ownself. This *Hadîth* stands as a fundamental rule. Do not hurt anyone and do not allow anyone to hurt you. Other than this, there are many explanations of this *Hadîth*.

[2] For the purpose of building a house, erecting of boundary wall, at least three feet high, proves the possession of the land and its ownership, but to prove the ownership of cultivation land its tillage is necessary.

[3] It means whoever digs a well for public welfare, *Shari'a* allows him a forty square yard piece of land around the well for his cattle, etc.

[4] 'Alqama bin Wâ'il bin Hujr Al-Hadrami then Al-Kufi was authenticated by Ibn Hibbân. He narrated the *Hadîth* from his father and Al-Mughira.

Prophet صلى الله عليه وسلم assigned him land[1] in Hadramout." [Reported by Abû Dâ'ud and At-Tirmidhi. Ibn Hibbân graded it *Sahih* (sound)].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أَقْطَعَهُ أَرْضاً بِحَضْرَمَوتَ. رَوَاهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

783. Narrated Ibn 'Umar رضى الله عنهما: The Prophet صلى الله عليه وسلم assigned to Az-Zubair the land his horse could cover at a run. He made his horse run, and when it stopped he threw his whip. He then said,[2] "Give to him up to the spot his whip has reached."[3] [Reported by Abû Dâ'ud, but it has weakness].

(٧٨٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أَقْطَعَ الزُّبَيْرَ حُضْرَ فَرَسِهِ، فَأَجْرَى الْفَرَسَ حَتَّى قَامَ، ثُمَّ رَمَى بِسَوْطِهِ، فَقَالَ **أَعْطُوهُ حَيْثُ بَلَغَ السَّوْطُ**. رَوَاهُ أَبُو دَاوُدَ، وَفِيهِ ضَعْفٌ.

784. Narrated A man of the Companions رضى الله عنهم : I went on an expedition with the Prophet صلى الله عليه وسلم and heard him say, "People are partners in three things: pasture, water and fire." [Reported by Ahmad and Abû Dâ'ud; its narrators are reliable].

(٧٨٤) وَعَنْ رَجُلٍ مِنَ الصَّحَابَةِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَزَوْتُ مَعَ النَّبِيِّ ﷺ، فَسَمِعْتُهُ يَقُولُ: **النَّاسُ شُرَكَاءُ فِي ثَلَاثٍ: فِي الْكَلَإِ وَالْمَاءِ وَالنَّارِ**. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ.

## Chapter 17
## *AL-WAQF*[4]
## (THE ENDOWMENT)

## ١٧ - بَابُ الْوَقْفِ

785. Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When a son of Adam dies no further reward is recorded for his actions, with three exceptions: *Sadaqa*, whose benefit is continuous; or knowledge

(٧٨٥) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**إِذَا مَاتَ الْإِنْسَانُ انْقَطَعَ عَنْهُ عَمَلُهُ، إِلَّا مِنْ ثَلَاثَةٍ: صَدَقَةٍ جَارِيَةٍ، أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ**

[1] It means that in an Islâmic State, it is permitted to give an estate to someone. There are two forms of this: (i) To give as his own property. (ii) To allow to use the produce for a fixed period.

[2] Speaking to those who were with him.

[3] It means that giving an estate to someone as a reward of his services rendered to Islâm and Muslim *Ummah*, is permitted and lawful provided the land given as state is not a personal property of anyone nor it encroaches upon anyone's right. Estate awarded to a perfidious as a reward of his perfidy by a Non-Muslim State, is unlawful.

[4] *Waqf* (الوقف) means to make an endowment and to spend the income for public welfare while keeping the original property in self custody or guardianship.

from which benefit continues to be reaped; or the supplication of a righteous son (for him)." [Reported by Muslim].

صَالِحٍ يَدْعُو لَهُ». رَوَاهُ مُسْلِمٌ.

**786.** Narrated Ibn 'Umar رضي الله عنهما: 'Umar رضي الله عنه got some land in Khaibar and went to the Prophet صلى الله عليه وسلم asking his command regarding it and said, "O Allâh's Messenger, I have acquired a land in Khaibar which is the most valuable property that I have ever acquired." He replied, "If you wish you may make the property an inalienable possession and give its produce as *Sadaqa*." So 'Umar رضي الله عنه gave it as *Sadaqa* that must not be sold, inherited, or given away, and he gave its produce as *Sadaqa* to be devoted to the poor, relatives, the emancipation of slaves, Allâh's cause, travellers and guests, no sin being committed by the one who administers it if he eats something from it in a reasonable manner or gives something to a friend to eat, provided he does not store anything as goods (for himself). [Agreed upon; the version is of Muslim].

(٧٨٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: أَصَابَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَرْضاً بِخَيْبَرَ، فَأَتَى النَّبِيَّ ﷺ يَسْتَأْمِرُهُ فِيهَا، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي أَصَبْتُ أَرْضاً بِخَيْبَرَ، لَمْ أُصِبْ مَالاً قَطُّ هُوَ أَنْفَسُ عِنْدِي مِنْهُ، قَالَ: **إِنْ شِئْتَ حَبَسْتَ أَصْلَهَا، وَتَصَدَّقْتَ بِهَا**، قَالَ: فَتَصَدَّقَ بِهَا عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ لاَ يُبَاعُ أَصْلُهَا، وَلاَ يُورَثُ، وَلاَ يُوهَبُ، فَتَصَدَّقَ بِهَا فِي الْفُقَرَاءِ، وَفِي الْقُرْبَى، وَفِي الرِّقَابِ، وَفِي سَبِيلِ اللهِ، وَابْنِ السَّبِيلِ، وَالضَّيْفِ، لاَ جُنَاحَ عَلَى مَنْ وَلِيَهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ، وَيُطْعِمَ صَدِيقاً، غَيْرَ مُتَمَوِّلٍ مَالاً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

A version by Al-Bukhâri has: "He gave it as *Sadaqa* that must not be sold[1] or gifted but its produce must be spent (as *Sadaqa*)."

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: تَصَدَّقْ بِأَصْلِهَا: لاَ يُبَاعُ، وَلاَ يُوهَبُ، وَلٰكِنْ يُنْفَقُ ثَمَرُهُ.

**787.** Narrated Abû Huraira رضي الله عنه: "Allâh's Messenger صلى الله عليه وسلم sent 'Umar رضي الله عنه to collect *Sadaqa*." The narrator reported the *Hadîth* and

(٧٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ عُمَرَ عَلَى الصَّدَقَةِ، الْحَدِيثَ، وَفِيهِ **«فَأَمَّا خَالِدٌ،**

[1] It is not permitted to sell the *Waqf*. However a trustee is allowed to take a mediocre maintenance allowance for his family, drawing lavish allowance is prohibited.

it contains: "As for Khâlid,[1] he has kept back his coats of mail and weapons to use them in Allâh's cause."[2] [Agreed upon].

فَقَدِ احْتَبَسَ أَدْرَاعَهُ وَأَعْتَادَهُ فِي سَبِيلِ اللهِ». مُتَّفَقٌ عَلَيْهِ.

## Chapter 18
## *HIBA*, *'UMRA* AND *RUQBA*[3] (GIFTS, LIFE-TENANCY, AND GIVING PROPERTY WHICH GOES TO THE SURVIVOR)

## ١٨ - بَابُ الْهِبَةِ وَالْعُمْرَى وَالرُّقْبَى

**788.** Narrated An-Nu'mân bin Bashir رضي الله عنهما: His father brought him to Allâh's Messenger صلى الله عليه وسلم and said, "I have given this son of mine a slave, who was belonging to me." Allâh's Messenger صلى الله عليه وسلم asked, "Have you given all your children the like of him?" He replied, "No." Allâh's Messenger صلى الله عليه وسلم then said, "Take him back then." A version has: My father went then to the Prophet صلى الله عليه وسلم to call him as witness to my *Sadaqa* (i.e. gift) and he asked, "Have you done the same with all your children?" He replied,

(٧٨٨) عَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللهُ تَعَالَى عَنْهُمَا، أَنَّ أَبَاهُ أَتَى بِهِ رَسُولَ اللهِ ﷺ، فَقَالَ: إِنِّي نَحَلْتُ ابْنِي هٰذَا غُلَاماً كَانَ لِي، فَقَالَ رَسُولُ اللهِ ﷺ: «أَكُلَّ وَلَدِكَ نَحَلْتَهُ مِثْلَ هٰذَا؟ فَقَالَ: لَا، فَقَالَ رَسُولُ اللهِ ﷺ: فَارْجِعْهُ. وَفِي لَفْظٍ: فَانْطَلَقَ أَبِي إِلَى النَّبِيِّ ﷺ لِيُشْهِدَهُ عَلَى صَدَقَتِي، فَقَالَ: أَفَعَلْتَ هٰذَا بِوَلَدِكَ كُلِّهِمْ؟ قَالَ: لَا، قَالَ: «اتَّقُوا اللهَ، وَاعْدِلُوا بَيْنَ أَوْلَادِكُمْ»، فَرَجَعَ أَبِي فَرَدَّ تِلْكَ الصَّدَقَةَ». مُتَّفَقٌ عَلَيْهِ.

---

[1] He is Abû Sulaimân Khâlid bin Al-Walid bin Al-Mughira Al-Makhzumi Al-Qurashi and his mother 'Asmâ' was Lubaba As-Sughra, the daughter of Al-Hârith and she was the sister of Umm Fadl. Khâlid became a Muslim in 8 H. before the conquest of Makka. It is said that he became a Muslim in 5 H. or 6 H. and he took part in the the conquest of Makka, Hunain and Tabuk. He broke nine swords with his hands while using them in the battle of Mu'ta, so Allâh's Messenger صلى الله عليه وسلم called him a 'Sword of Allâh'. Abû Bakr sent him to fight in the battles of Ar-Ridda (apostasy), then he invaded the Persians. He was then sent to Shâm, conquered most of it and remained the commander of the Muslim army in Shâm till 'Umar bin Al-Khattâb retired him. He then became a voluntary vigilant at Hims till his death in 21 H. and he was buried at a village one mile outside Hims.

[2] 'Umar رضي الله عنه thought that Khâlid رضي الله عنه has kept those coats of mail for business. The Prophet صلى الله عليه وسلم told him that Khâlid has endowed the coats of mail and weapons in the way of Allâh.

[3] *Hiba* (الهبة) means to present something to some one as a gift for Allâh's sake. *Waqf* (الوقف) is a public property and *Hiba* is private. *'Umra* (العمرى) is to gift a house to somebody. *Ruqba* (الرقبى) is that house which is gifted to someone for lifetime only to live at, and not as a belonging.

"No." He said, "Fear Allâh and treat your children equally."[1] My father then returned and took back that gift. [Agreed upon].

وَفِيْ رِوَايَةٍ لِمُسْلِمٍ: قَالَ: فَأَشْهِدْ عَلَى هٰذَا غَيْرِيْ، ثُمَّ قَالَ: «أَيَسُرُّكَ أَن يَكُوْنُوْا لَكَ فِي الْبِرِّ سَوَآءً» قَالَ: بلى. قال: «فَلاَ إِذَنْ».

A version by Muslim has: He said, "Call someone other than me as witness to this." He then said, "Would you like them to show you equal filial piety." He replied, "Yes." He said, "Don't do it, then."

(٧٨٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ النَّبِيُّ ﷺ: «الْعَائِدُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيءُ ثُمَّ يَعُودُ فِي قَيْئِهِ». مُتَّفَقٌ عَلَيْهِ. وَفِيْ رِوَايَةٍ لِلْبُخَارِيِّ: «لَيْسَ لَنَا مَثَلُ السَّوْءِ، الَّذِيْ يَعُودُ فِي هِبَتِهِ كَالْكَلْبِ يَقِيْءُ ثُمَّ يَرْجِعُ فِيْ قَيْئِهِ».

**789.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "The one who repossesses back a gift[2] is like a dog which vomits and then returns to its vomit." [Agreed upon] A version by Al-Bukhâri has: "An evil example does not apply to us,[3] one who repossesses back a gift is like a dog which vomits and then returns to its vomit."

(٧٩٠) وَعَنِ ابْنِ عُمَرَ وَابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمْ، عَنِ النَّبِيِّ ﷺ قَالَ: «لاَ يَحِلُّ لِرَجُلٍ مُسْلِمٍ أَنْ يُعْطِيَ الْعَطِيَّةَ ثُمَّ يَرْجِعَ فِيهَا، إِلاَّ الْوَالِدَ فِيمَا يُعْطِي وَلَدَهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**790.** Narrated Ibn 'Umar and Ibn Abbâs رضي الله عنهم: The Prophet صلى الله عليه وسلم said, "It is not lawful for a man (Muslim) to give a gift and then take it back, except a father[4] regarding what he gives his child." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi, Ibn Hibbân and Al-Hâkim graded it *Sahih*].

---

[1] According to some scholars, justice and equality among the sons (children) is preferable, but according to Imâm Bukhâri and Imâm Ahmad it is obligatory.

[2] It is agreed that a father can take back a thing from his son, given to him as a gift; while taking back of things presented to a relative is unlawful.

[3] i.e. Muslims.

[4] It means that only father can take back the *Hiba* (gift) from his son and taking back from others is unlawful. Father can revise his decision of *Hiba* and is allowed to take back the gift. Mother is also allowed to take back the *Hiba*.

**791.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم would accept a present and give something in return for it.[1] [Reported by Al-Bukhâri].

(٧٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقْبَلُ الْهَدِيَّةَ، وَيُثِيبُ عَلَيْهَا. رَوَاهُ الْبُخَارِيُّ.

**792.** Narrated Ibn 'Abbâs رضي الله عنهما: A man gave away a she-camel to Allâh's Messenger صلى الله عليه وسلم. So he gave him something in return for it and asked, "Are you pleased?" He replied, "No." So he gifted him abundantly and asked, "Are you pleased?" He replied, "No." Again he gifted him abundantly and asked, "Are you pleased?" He replied, "Yes." [Reported by Ahmad and Ibn Hibbân graded it *Sahih*].

(٧٩٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: وَهَبَ رَجُلٌ لِرَسُولِ اللهِ ﷺ نَاقَةً، فَأَثَابَهُ عَلَيْهَا، فَقَالَ: رَضِيتَ؟ قَالَ: لَا، فَزَادَهُ، فَقَالَ: رَضِيتَ؟ قَالَ: لَا، فَزَادَهُ، فَقَالَ: رَضِيتَ؟ فَقَالَ: نَعَمْ. رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**793.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "What is given in life-tenancy[2] belongs to the one to whom it is given." [Agreed upon].

(٧٩٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْعُمْرَى لِمَنْ وُهِبَتْ لَهُ**». مُتَّفَقٌ عَلَيْهِ.

Muslim has: "Keep your properties for yourselves and do not squander them,[3] for if anyone gives a life-tenancy it goes to the one to whom it is given, both during his life and after his death, and to his descendants."

وَلِمُسْلِمٍ: **أَمْسِكُوا عَلَيْكُمْ أَمْوَالَكُمْ، وَلَا تُفْسِدُوهَا، فَإِنَّهُ مَنْ أَعْمَرَ عُمْرَى، فَهِيَ لِلَّذِي أُعْمِرَهَا، حَيًّا وَمَيِّتاً، وَلِعَقِبِهِ.**

A version has: "The life-tenancy which Allâh's Messenger صلى الله عليه وسلم

وَفِي لَفْظٍ: إِنَّمَا الْعُمْرَى الَّتِي أَجَازَهَا

[1] It means to accept a gift and to give a gift in return is *Sunna*.

[2] Giving a house as gift to someone for lifetime is called *'Umra* (العمرى). It has three forms: 1) to give for ever; 2) to give for lifetime; and 3) to give without any pre-condition. Here it is meant first and last.

[3] At that time people thought *'Umra* is a loan given to the borrower for a certain period of time, and the owner retains the property with him after the time passes, but the Prophet صلى الله عليه وسلم made the matter clear by saying that the borrower becomes the owner of the property. Giver may have any intention at the time of giving the gift, it has no consideration. It is, therefore, suggested to think carefully before gifting *'Umra* to avoid remorse.

allowed was only that in which one says, 'It is for you and your descendants.' When he says, 'It is yours as long as you live', it returns to its owner."

رَسُولُ اللهِ ﷺ أن يَقُولَ: هِيَ لَكَ وَلِعَقِبِكَ، فَأَمَّا إِذَا قَالَ: هِيَ لَكَ مَا عِشْتَ، فَإِنَّهَا تَرْجِعُ إِلَى صَاحِبِهَا.

Abû Dâ'ud and An-Nasâ'i have: "Do not give property to go to the survivor[1] and do not give life-tenancy, for if anyone is given either, the property goes to his heirs."

وِلأَبِي دَاوُدَ وَالنَّسَائِيِّ: **لَا تُرْقِبُوا، وَلَا تُعْمِرُوا، فَمَنْ أُرْقِبَ شَيْئاً، أَوْ أُعْمِرَ شَيْئاً، فَهُوَ لِوَرَثَتِهِ.**

**794.** Narrated 'Umar رضي الله عنه: I provided a man with a horse to ride in Allâh's cause, but as he did not look after it well, I thought he would sell it at a cheap price. I therefore asked Allâh's Messenger صلى الله عليه وسلم about that and he said, "Do not buy it even if he gives it to you for a Dirham." The narrator reported the rest of the *Hadîth*. [Agreed upon].

(٧٩٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: حَمَلْتُ عَلَى فَرَسٍ فِيْ سَبِيْلِ اللهِ، فَأَضَاعَهُ صَاحِبُهُ، فَظَنَنْتُ أَنَّهُ بَائِعُهُ بِرُخْصٍ، فَسَأَلْتُ رَسُولَ اللهِ ﷺ عَنْ ذٰلِكَ، فَقَالَ: «**لَا تَبْتَعْهُ، وَإِنْ أَعْطَاكَهُ بِدِرْهَمٍ**» اَلْحَدِيْثَ. مُتَّفَقٌ عَلَيْهِ.

**795.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Give presents[2] to one another and you will love one another." [Al-Bukhâri reported it in *Al-Adab Al-Mufrad*; Abû Ya'la reported it with a good chain of narrators].

(٧٩٥) وَعَنْ أَبِيْ هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**تَهَادُوا تَحَابُّوا**». رَوَاهُ الْبُخَارِيُّ فِي الْأَدَبِ الْمُفْرَدِ، وَأَبُو يَعْلَى بِإِسْنَادٍ حَسَنٍ.

**796.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Give presents to one another, for a present gently extracts grudge." [Al-Bazzâr reported it through a weak chain of narrators].

(٧٩٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**تَهَادُوا فَإِنَّ الْهَدِيَّةَ تَسُلُّ السَّخِيمَةَ**». رَوَاهُ الْبَزَّارُ بِإِسْنَادٍ ضَعِيفٍ.

---

[1] *Ruqba* (الرقبى) means that a person gives his house to another on the condition that if he (borrower) outlived him, he will have the house, but if he died before, than the house will remain his. This is called *Ruqba* because they wait for the death of each other.

[2] It means that sending or giving a gift is an obligation because this is an order of the Prophet صلى الله عليه وسلم. All *Ahâdith* about gift have one or the other deficiency in their authority (*Sanad*), but some *Ahâdith* support the others, that is why this *Hadith* is called *Husan*.

**797.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "O Muslim women, a woman neighbour should not consider even a goat's trotter too insignificant[1] a gift to give to her neighbour." [Agreed upon].

(٧٩٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**يَا نِسَاءَ الْمُسْلِمَاتِ، لَا تَحْقِرَنَّ جَارَةٌ لِجَارَتِهَا وَلَوْ فِرْسِنَ شَاةٍ**». مُتَّفَقٌ عَلَيْهِ.

**798.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If anyone gives away a gift, he has most right to it as long as he is given nothing in return for it."[2] [Al-Hâkim reported and graded it *Sahih* and it is established from Ibn 'Umar's version on the authority of 'Umar رضي الله عنه that this is 'Umar's saying].

(٧٩٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «**مَنْ وَهَبَ هِبَةً فَهُوَ أَحَقُّ بِهَا، مَا لَمْ يُثَبْ عَلَيْهَا**». رَوَاهُ الْحَاكِمُ، وَصَحَّحَهُ، وَالْمَحْفُوظُ مِنْ رِوَايَةِ ابْنِ عُمَرَ عَنْ عُمَرَ قَوْلُهُ.

## Chapter 19
## *LUQATA* [3]
## (LOST AND FOUND ITEMS)

## ١٩ - بَابُ اللُّقَطَةِ

**799.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم came upon a date on the road and said, "Were it not that I fear it may be part of the *Sadaqa* I would eat it." [Agreed upon].

(٧٩٩) عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَرَّ النَّبِيُّ ﷺ بِتَمْرَةٍ فِي الطَّرِيقِ، فَقَالَ: «**لَوْلَا أَنِّي أَخَافُ أَنْ تَكُونَ مِنَ الصَّدَقَةِ لَأَكَلْتُهَا**». مُتَّفَقٌ عَلَيْهِ.

**800.** Narrated Zaid bin Khâlid Al-Juhani[4] رضي الله عنه: A man came to

(٨٠٠) وَعَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ

[1] This example teaches the basic philosophy of gift giving. Gift should be given even if it is a very meager or an ordinary thing, and he who receives it, should also honour the intention of the giver.

[2] This *Hadîth* proves two things, one that the gift should be repaid; and the second that if *Hiba* is not compensated, the giver has the right to rethink about *Hiba* and can take it back, but this is a weak narration.

[3] *Luqata* (اللقطة) is a fallen or lost thing. *Shari'a* has divided *Luqata* into three categories:
i) an ordinary and edible, it can be picked up and eaten.
ii) an ordinary thing but not eatable. It can be picked up but one has to announce it in the public places for three days.
iii) for a valuable thing *Shari'a* orders to pick it up and announce it for one year, if the owner is found, it should be returned to him, otherwise can be used. There is a difference of opinion on the point, whether to return it or not if the owner is found after its use.

[4] His nickname is Abû 'Abdur-Rahmân or Abû Talha and was a resident of Al-Madîna. He was a prominent *Sahâbi* who held the flag of the tribe of Juhaina on the day of *Al-Fath* (the conquest of Makka). He settled at Kufa and died in it in the year 68 H. or 78 H. at the age of 85 years.

the Prophet صلى الله عليه وسلم and asked him about a find. He replied, "Note what it is contained in and what it is tied with and make the matter known for a year Then if its owner comes give it to him, otherwise you can do what you like with it." He asked, "What about astray goat?" He replied, "You, your brother, or the wolf may have it." He asked, "What about astray camels?" He replied, "What have you to do with them? They have their stomachs and their feet. They can go down to water and eat trees till their master finds them." [Agreed upon].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ، فَسَأَلَهُ عَنِ اللُّقَطَةِ، فَقَالَ: اعرِفْ عِفَاصَهَا وَوِكَاءَهَا، ثُمَّ عَرِّفْهَا سَنَةً، فَإِنْ جَاءَ صَاحِبُهَا، وَإِلاَّ فَشَأْنُكَ بِهَا، قَالَ: فَضَالَّةُ الْغَنَمِ؟ قَالَ: هِيَ لَكَ، أَوْ لِأَخِيكَ، أَوْ لِلذِّئْبِ، قَالَ: فَضَالَّةُ الإِبِلِ؟ قَالَ: مَا لَكَ وَلَهَا؟ وَمعهَا سِقَاؤُهَا، وَحِذَاؤُهَا، تَرِدُ الْمَاءَ، وَتَأْكُلُ الشَّجَرَ، حَتَّى يَلْقَاهَا رَبُّهَا. مُتَّفَقٌ عَلَيْهِ.

**801.** Narrated (Zaid bin Khâlid) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who gives refuge to a stray is a stray himself as long as he does not make it known."[1] [Reported by Muslim].

(٨٠١) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ آوَى ضَالَّةً فَهُوَ ضَالٌّ مَا لَمْ يُعَرِّفْهَا». رَوَاهُ مُسْلِمٌ.

**802.** Narrated 'Iyâd bin Himâr[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who finds something should call two trusty people as witnesses,[3] keep in mind what it is contained in and what it is tied with, and not conceal it or cover it up; and if its owner comes he has then most right to it, otherwise it is Allâh's property which He gives to whom He wishes."

(٨٠٢) وَعَنْ عِيَاضِ بْنِ حِمَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ وَجَدَ لُقَطَةً فَلْيُشْهِدْ ذَوِي عَدْلٍ، وَلْيَحْفَظْ عِفَاصَهَا، وَوِكَاءَهَا، ثُمَّ لاَ يَكْتُمْ، وَلاَ يُغَيِّبْ، فَإِنْ جَاءَ رَبُّهَا، فَهُوَ أَحَقُّ بِهَا، وَإِلاَّ فَهُوَ مَالُ اللهِ يُؤْتِيهِ مَنْ يَشَاءُ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلاَّ

[1] If someone picks up a lost or fallen thing with the intention to announce it or with the intention it may not go into a wrong hand who would not announce it, it is permissible. Picking up a thing with bad intention to possess it, is not correct. It is an error of conduct.

[2] 'Iyad bin Himâr At-Tamimi Al-Mujâshi'i was a *Sahâbi* who settled at Basra and lived up to about the fifties of the Hijra.

[3] Whenever a lost or fallen thing is found, two witnesses should be made to it at once; and similarly at the time of its delivery, witnesses should also be made. Both witnesses are obligatory. Because there is a possibility that after the delivery of the lost thing, another person may claim it giving true marks and signs of the thing thus creating a dispute and squabble.

[Reported by Ahmad and *Al-Arba'a* excluding Tirmidhi. Ibn Khuzaima, Ibn Al-Jârûd and Ibn Hibbân graded it *Sahih*].

التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ.

**803.** Narrated 'Abdur-Rahmân bin 'Uthmân At-Taimi[1] رضي الله عنه: The Prophet صلى الله عليه وسلم prohibited taking what a pilgrim[2] has dropped. [Reported by Muslim].

(٨٠٣) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عُثْمَانَ التَّيْمِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ لُقَطَةِ الْحَاجِّ. رَوَاهُ مُسْلِمٌ.

**804.** Narrated Al-Miqdâm bin Ma'dikarib[3] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A beast of prey with a fang, a domestic ass, and a find from the property of a *Kâfir* who has been given a covenant[4] unless he dispenses with it, are not lawful." [Reported by Abû Dâ'ud].

(٨٠٤) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَلاَ لاَ يَحِلُّ ذُو نَابٍ مِنَ السِّبَاعِ، وَلاَ الْحِمَارُ الأَهْلِيُّ، وَلاَ اللُّقَطَةُ مِنْ مَالِ مُعَاهِدٍ، إِلاَّ أَنْ يَسْتَغْنِيَ عَنْهَا». رَوَاهُ أَبُو دَاوُدَ.

## Chapter 20
## *AL-FARA'ID* [5]
## (THE SHARES OF INHERITANCE)

## ٢٠ - بَابُ الْفَرَائِضِ

**805.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said,

(٨٠٥) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ

[1] 'Abdur-Rahmân bin 'Uthmân bin 'Ubaidullah At-Taimi Al-Qurashi, the son of Talha bin 'Ubaidullah's brother was a *Sahâbi*. It was also said that though he lived during the lifetime of the Prophet صلى الله عليه وسلم, he never met him. He became a Muslim on the day of *Al-Hudaibiya* or on the day of *Al-Fath* and was killed with 'Abdullah bin Az-Zubair in 73 H.

[2] Because a pilgrim is a traveller and there are remote chances of meeting of pilgrim and the finder of lost thing, therefore it is ordered not to pick up the lost things of pilgrims.

[3] Al-Miqdâm bin Ma'dikarib bin 'Amr Al-Kindi who was nicknamed Abû Karima or Abû Yahya was a prominent *Sahâbi*. He settled at Shâm and his *Ahadîth* spread among its people. He died in 47 H. at the age of 91 years.

[4] *Dhimmi* (الذمي) is an infidel living in an Islâmic State and abiding by the laws of the state and *Mu'ahid* (معاهد) is an infidel visiting an Islâmic State with visa and performing his job peacefully. Islâmic State is responsible for his safety and his property, etc. There is no difference between the lost property of a *Dhimmi* and *Mu'ahid* or a Muslim as for as the laws of lost property are concerned, but if it is a worthless thing, then there is no harm in picking it up.

[5] *Farâ'id* (الفرائض) is plural of *Farida* and it means the laws of descent and distribution and inheritance problems.

"Give the shares to those who are entitled to them,[1] and what remains goes to the nearest male heir." [Agreed upon].

تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَلْحِقُوا الْفَرَائِضَ بِأَهْلِهَا، فَمَا بَقِيَ فَهُوَ لِأَوْلَى رَجُلٍ ذَكَرٍ». مُتَّفَقٌ عَلَيْهِ.

**806.** Narrated Usâma bin Zaid رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "A Muslim does not inherit from an infidel and an infidel from a Muslim."[2] [Agreed upon].

(٨٠٦) وَعَنْ أُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ، وَلَا يَرِثُ الْكَافِرُ الْمُسْلِمَ». مُتَّفَقٌ عَلَيْهِ.

**807.** Narrated Ibn Mas'ûd رضي الله عنه concerning the situation where there were a daughter, a son's daughter and a sister: The Prophet صلى الله عليه وسلم ruled, "The daughter gets half and the son's daughter a sixth, making two-thirds,[3] and what remains goes to the sister." [Reported by Al-Bukhâri].

(٨٠٧) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي بِنْتٍ، وَبِنْتِ ابْنٍ، وَأُخْتٍ، فَقَضَى النَّبِيُّ ﷺ «لِلِابْنَةِ النِّصْفُ، وَلِابْنَةِ الِابْنِ السُّدُسُ، تَكْمِلَةَ الثُّلُثَيْنِ، وَمَا بَقِيَ فَلِلْأُخْتِ». رَوَاهُ الْبُخَارِيُّ.

**808.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "People of two different religions do not inherit from one another." [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi; Al-Hâkim reported it with Usâma's version; An-Nasâ'i reported Usâma's *Hadîth* with the aforesaid version].

(٨٠٨) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَتَوَارَثُ أَهْلُ مِلَّتَيْنِ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ، وَأَخْرَجَهُ الْحَاكِمُ بِلَفْظِ أُسَامَةَ، وَرَوَى النَّسَائِيُّ حَدِيثَ أُسَامَةَ بِهَذَا اللَّفْظِ.

**809.** Narrated 'Imrân bin Husain رضي الله عنهما: A man came to the Prophet صلى الله عليه وسلم and said, "My son's son has died, so what do I receive from his

(٨٠٩) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: إِنَّ ابْنَ ابْنِي، مَاتَ، فَمَا لِي مِنْ مِيرَاثِهِ؟

[1] Those persons whose share is described in the Qur'ân are called *Dhul-Farâ'id* (ذوالفرائض) and the rest are called *'Asaba* (عصبة) and some of the *Dhul-Farâ'id* are *'Asaba* too. In the noble Qur'ân, six kinds of shares are fixed. These are: One-half, one-fourth, one-eight, two-third, one-third and one-sixth.

[2] Among the deceased and the heir, if one is non-Muslim, they cannot be heir of each other.

[3] Half to the daughter and one-sixth to the granddaughter (from father's side) and one-third will go to the sister. It means that the sister along with daughter and granddaughter becomes *'Asaba*.

estate?" He replied, "You receive a sixth;" then when he turned away he called him and said, "You receive another sixth;"[1] and when he turned away he called him and said, "The other sixth is an allowance (beyond what is due)." [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi graded it *Sahih*. It is from Al-Hasan Al-Basri's[2] version on the authority of 'Imrân; but it was said that Al-Hasan did not hear the *Hadîth* from 'Imrân].

فَقَالَ: لَكَ السُّدُسُ، فَلَمَّا وَلَّى دَعَاهُ، فَقَالَ: لَكَ سُدُسٌ آخَرُ، فَلَمَّا وَلَّى دَعَاهُ، فَقَالَ: إِنَّ السُّدُسَ الآخَرَ طُعْمَةٌ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَهُوَ مِنْ رِوَايَةِ الْحَسَنِ الْبَصْرِيِّ عَنْ عِمْرَانَ، وَقِيلَ: إِنَّهُ لَمْ يَسْمَعْ مِنْهُ.

**810.** Narrated Ibn Buraida رضي الله عنهما on the authority of his father: The Prophet صلى الله عليه وسلم appointed a sixth to a grandmother[3] if no mother is left to inherit before her. [Reported by Abû Dâ'ud and An-Nasâ'i; Ibn Khuzaima and Ibn At-Jârûd graded it *Sahih* and Ibn 'Adi graded it strong].

(٨١٠) وَعَنِ ابْنِ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا عَنْ أَبِيهِ أَنَّ النَّبِيَّ ﷺ جَعَلَ لِلْجَدَّةِ السُّدُسَ، إِذَا لَمْ يَكُنْ دُونَهَا أُمٌّ. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ، وَقَوَّاهُ ابْنُ عَدِيٍّ.

**811.** Narrated Al-Miqdâm bin Ma'dikarib رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A maternal uncle[4] is heir of him who

(٨١١) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ».

[1] The deceased left two daughters and one grandfather as heirs. Daughters got two-third and grandfather got one-sixth as *Dhul-Farâ'id* and another one-sixth as *'Asaba*. The Prophet صلى الله عليه وسلم told him only one-sixth at first, so that he might not think that his share is one-third and also explained to him in the end.

[2] Al-Hasan bin Abûl Hasan Al-Basri was an Ansari slave. His father was called Yasâr. Al-Hasan was one of the righteous *Imâm*, reliable, pious, famous, devout worshipper, very learned, eloquent, handsome, elegant, a great widely knowledgeable scholar. He was the head of the third generation of the *Tabi'in* and was born when two years remained from 'Umar's Caliphate. He saw 'Uthmân and 'Ali but did not hear a *Hadîth* from them. He died in Rajab 110 H. when he was nearly ninety years of age.

[3] Grandmothers in Arabic are *Jadda Sahiha* (father's mother) and *Jadda Fâsida* (mother's mother). If the mother of the deceased is not alive, then the mother's share will go to father's mother; and if she too is not alive, then the share will go to mother's mother.

[4] These *Ahâdith* prove that if there is no *'Asaba* or *Dhul-Farâ'id* heir, then the maternal uncle (mother's brother) will be a heir. It means that maternal uncle is the last heir. If he too is not alive then the property will go to public exchequer (بيت المال). Maternal aunt (mother's sister) have the same status as maternal uncle.

has none." [Ahmad and *Al-Arba'a* reported it excluding At-Tirmidhi; Abû Zur'a Ar-Râzi graded it *Hasan*; Al-Hâkim and Ibn Hibbân graded it *Sahih*].

وَأَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ، سِوَى التِّرْمِذِيِّ، وَحَسَّنَهُ أَبُو زُرْعَةَ الرَّازِيُّ وَصَحَّحَهُ الْحَاكِمُ وَابْنُ حِبَّانَ.

**812.** Narrated Abû Umâma bin Sahl[1] (رضي الله عنه): 'Umar رضي الله عنه wrote to Abû 'Ubaida[2] رضي الله عنه that Allâh's Messenger صلى الله عليه وسلم had said: "Allâh and His Messenger are the Patrons of him who has none and a maternal uncle is the heir of him who has none." [Reported by Ahmad and *Al-Arba'a* except Abû Dâ'ud; At-Tirmidhi graded it *Hasan*; Ibn Hibbân graded it *Sahih*].

(٨١٢) وَعَنْ أَبِي أُمَامَةَ بْنِ سَهْلٍ قَالَ: كَتَبَ مَعِي عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ إِلَى أَبِي عُبَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لاَ مَوْلَى لَهُ، والْخَالُ وَارِثُ مَنْ لاَ وَارِثَ لَهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، سِوَى أَبِي دَاوُدَ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**813.** Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When a new born has raised its voice[3] (and then dies), it is treated as a heir." [Reported by Abû Dâ'ud and authenticated by Ibn Hibbân].

(٨١٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا اسْتَهَلَّ الْمَوْلُودُ وَرِثَ. رَوَاهُ أَبُو دَاوُدَ. وَصَحَّحَهُ ابْنُ حِبَّانَ.

**814.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "One who kills a man cannot inherit anything

(٨١٤) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ لِلْقَاتِلِ مِنَ الْمِيرَاثِ

---

[1] His name was As'ad or Sa'd but was known by his nickname Abu Umâma bin Sahl bin Hunaif bin Wâhib Al-Ansâri Al-Ausi Al-Madani. He was counted among the *Sahaba* and he saw the Prophet صلى الله عليه وسلم but never heard a *Hadith* from him. He died in 100 H. at the age of 92 H.

[2] He is Abû 'Ubaida 'Aamir bin 'Abdullâh bin Al-Jarrah bin Hilâl Al-Qurashi Al-Fihri who was one of the ten promised to enter *Janna* (Paradise). He became a Muslim early and migrated to Abyssinia (Ethiopia) during the second *Hijra*. He participated in Badr and the rest of the important battles. On the day of Uhud removed with teeth two metal points of the Prophet's helmet which had penetrated in his cheeks and lost two of his front teeth. Abû 'Ubaida led the Muslim army during the conquest of Shâm. He died in the plague of 'Amwâs in 18 H. at the age of 58 years.

[3] The child who has a trace of life and whose Funeral prayer is offered, is also a heir and his inheritance is distributed as well.

from him."[1] [Reported by An-Nasâ'i and Ad-Dâraqutni; Ibn 'Abdul-Barr graded it strong; An-Nasâ'i declared it to be defective, but the right opinion is that it is *Mawqûf* at 'Amr (bin Al-'Aas رضي الله عنه)].

شَيْءٌ». رَوَاهُ النَّسَائِيُّ وَالدَّارَقُطْنِيُّ، وَقَوَّاهُ ابْنُ عَبْدِ الْبَرِّ، وَأَعَلَّهُ النَّسَائِيُّ، وَالصَّوَابُ وَقْفُهُ عَلَى عَمْرٍو.

**815.** Narrated 'Umar bin Al-Khattâb رضي الله عنه : I heard Allâh's Messenger صلى الله عليه وسلم as saying, "The property a parent or a child acquires, goes to his agnate[2] whoever it may be." (If either dies leaving no relative). [Reported by Abû Dâ'ud, An-Nasâ'i and Ibn Mâjah; Ibn Al-Madini and Ibn 'Abdul-Barr graded it *Sahih*].

(٨١٥) وَعَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «**مَا أَحْرَزَ الْوَالِدُ أَوِ الْوَلَدُ فَهُوَ لِعَصَبَتِهِ مَنْ كَانَ**». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ وَصَحَّحَهُ ابْنُ الْمَدِينِيِّ وَابْنُ عَبْدِ الْبَرِّ.

**816.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The right to inheritance from a freed slave[3] is as of a kindred by lineage; it cannot be sold or given away." [Al-Hâkim reported it through Ash-Shâf'i's narration from Muhammad bin Al-Hasan[4] on the

(٨١٦) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْوَلَاءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ، لَا يُبَاعُ وَلَا يُوهَبُ**». رَوَاهُ الْحَاكِمُ مِنْ طَرِيقِ الشَّافِعِيِّ، عَنْ مُحَمَّدِ بْنِ الْحَسَنِ، عَنْ أَبِي يُوسُفَ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَأَعَلَّهُ الْبَيْهَقِيُّ.

---

[1] It means that a murderer has no right of inheritance from the property of the murdered. Murderer gets no share at all even he is an *'Asaba* or *Dhul-Far'ida* of the murdered. Willful murder and unintentional murder are equal in this concern.

[2] *Wala'* is not distributed like inheritance in *Dhul-Farâ'id* but the nearest *'Asaba* is rightful of *Walâ'*, though some have differed from it, but this is correct.

[3] After the death of a freed slave or slave-girl his/her left property is called *Walâ'* and he who pays the money for the freedom, becomes the heir after the death of the slave.

[4] Abû 'Abdullâh Muhammad bin Al-Hasan bin Farqad Ash-Shaibâni by clientship was one of the *Hanafi Imâm*. He was born in 132 H. at Wâsit and grew up at Kufa. He travelled to acquire the knowledge of *Hadîth* and met a group of the eminent learned men. He attended the study circle of Abû Hanifa for years, then acquired the knowledge of *Fiqh* from Abû Yûsuf. He then wrote many valuable books and spread the knowledge of Abû Hanifa. He also studied under Imâm Mâlik for three years. The *Hadîth* scholars considered his *Ahadîth* to be weak due to his memory. He died in 189 H. at Ranbuwaih, a village of Ar-Ray.

authority of Abû Yûsuf[1]; Ibn Hibbân graded it *Sahih* (sound), but Al-Baihaqi graded it defective].

**817.** Narrated Abû Qilâba[2] on the authority of Anas رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The most versed in the rules of inheritance among you is Zaid bin Thâbit."[3] [Ahmad and *Al-Arba'a* except Abû Dâ'ud reported it; At-Tirmidhi, Ibn Hibbân and Al-Hâkim graded it *Sahih*, but it was weakened for being *Mursal*].

(٨١٧) وَعَنْ أَبِي قِلَابَةَ، عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَفْرَضُكُمْ زَيْدُ بْنُ ثَابِتٍ». أَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ، سِوَى أَبِي دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ. وَأُعِلَّ بِالْإِرْسَالِ.

---

[1] He was the *Fiqh* scholar of 'Iraq and the learned Imam Al-Qâdi Abû Yûsuf Ya'qûb bin Ibrâhim Al-Ansâri Al-Kufi, the companion of Abû Hanifa. He grew up in the acquisition of knowledge. His father was poor and Abû Hanifa used to give him a hundred after a hundred. Yahya bin Ma'in said, "There is no person among the *Fiqh* scholars who knows more *Ahadîth* or is more reliable (in the narration of *Hadîth*) than Abû Yûsuf." Yahya bin Yahya At-Tamimi said, "I heard Abû Yûsuf say at the time of his death, I have withdrawn from any (*Fiqh*) opinion which I gave in the past except that confirming with the Book (the Qur'ân) and the *Sunna* - and in another version - except what is in the Qur'ân and the Muslims have agreed upon." He died in Rabi' Al-Akhir of the year 182 H. at the age of 69 years.

[2] The name of Abû Qilâba is 'Abdullâh bin Zaid bin 'Amr or 'Aamir Al-Jurmi Al-Basri. He was a great *Tabi'i*, reliable, virtuous and the narrator of many *Mursal Ahadîth*. He was among the sixth generation and died in Shâm in 104 H. or 106 H. or 107 H. while running away from the responsibility of holding the office of the *Qadi*.

[3] The Prophet صلى الله عليه وسلم said, "The most merciful of my *Ummah* is Abu Bakr; the most firm of them in religion is 'Umar; the most sincere in modesty amongst them is 'Uthmân; the best judge amongst them is 'Ali; the best reciter amongst them is Ubai bin Ka'b; the one who possesses the best knowledge of the lawful and the unlawful things is Mu'âdh bin Jabal; the one who possesses the best knowledge of obligatory duties (regarding the descent and the division of inheritance) is Zaid bin Thâbit. Behold, verily, every *Ummah* has a trustworthy guardian and the trustworthy guardian of this *Ummah* is Abû 'Ubaida bin Jarrah."

On the basis of this *Hadith*, the word of Zaid bin Thâbit is preferred concerning disputed issues of inheritance.

## Chapter 21
## *AL-WASAYA*[1]
## (THE WILLS AND TESTAMENTS)

## ٢١ - بَابُ الْوَصَايَا

**818.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "It is not prudent for a Muslim person who has something he wants to give as a bequest to have it for two nights without having his will[2] written regarding it." [Agreed upon].

(٨١٨) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَا حَقُّ امْرِئٍ مُسْلِمٍ لَهُ شَيْءٌ يُرِيدُ أَنْ يُوصِيَ فِيهِ، يَبِيتُ لَيْلَتَيْنِ إِلاَّ وَوَصِيَّتُهُ مَكْتُوبَةٌ عِنْدَهُ». مُتَّفَقٌ عَلَيْهِ.

**819.** Narrated Sa'd bin Abî Waqqâs رضي الله عنه: I said, "O Allâh's Messenger, I have property and none heirs from me but only one daughter of mine. Shall I give two-thirds of my property as *Sadaqa*?" He replied, "No." I said, "Shall I give half of it as *Sadaqa?*" He replied, "No." I said, "Shall I give a third of it as *Sadaqa*?" He replied, "You may give a third[3] as *Sadaqa*, which is still a lot. To leave your heirs rich is better than to leave them poor and begging from people." [Agreed upon].

(٨١٩) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! أَنَا ذُو مَالٍ، وَلاَ يَرِثُنِي إِلاَّ ابْنَةٌ لِّي وَاحِدَةٌ، أَفَأَتَصَدَّقُ بِثُلُثَيْ مَالِي؟ قَالَ: لاَ، قُلْتُ: أَفَأَتَصَدَّقُ بِشَطْرِهِ؟ قَالَ: لاَ، قُلْتُ: أَفَأَتَصَدَّقُ بِثُلُثِهِ؟ قَالَ: اَلثُّلُثُ، وَالثُّلُثُ كَثِيرٌ، إِنَّكَ أَنْ تَذَرَ وَرَثَتَكَ أَغْنِيَاءَ خَيْرٌ مِّنْ أَنْ تَذَرَهُمْ عَالَةً يَتَكَفَّفُونَ النَّاسَ. مُتَّفَقٌ عَلَيْهِ.

[1] According to lexicology, *Wasiya* (الوصية) means making the word of advice a *modus operandi* (rule of procedure) and according to *Shari'a* it is a testament which is to be acted upon after the death of the person who made it.

[2] Prior to the revelation of the Verse of Inheritance, making a will was obligatory; after the revelation this order was cancelled, anyhow one can make a will for other matters excluding inheritance. Even today, sometimes a bequest is very necessary, for example, in the presence of one's son to make a will for the grandson from a deceased son. Written form of will is not necessary, it is only for the confirmation of spoken will and to avoid any misunderstanding arising afterwards.

[3] Will can be made at the most for one-third of the whole of the property. If it is less than one-third, it is better; but with the permission of other heirs it is permitted for more than one-third also. If the heirs are alive, than it is not allowed to make for more than one-third.

**820.** Narrated 'Aisha رضي الله عنها: A man[1] came to the Prophet صلى الله عليه وسلم and said, "O Allâh's Messenger, my mother had died suddenly, and did not make a will. And I think she would have given out *Sadaqa* if she had been able to speak, so will she get a reward if I gave out *Sadaqa* on her behalf?" He replied, "Yes." [Agreed upon; the version is of Muslim].

(٨٢٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَجُلاً أَتَى النَّبِيَّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! إِنَّ أُمِّي افْتُلِتَتْ نَفْسُهَا، وَلَمْ تُوصِ، وَأَظُنُّهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ، أَفَلَهَا أَجْرٌ إِنْ تَصَدَّقْتُ عَنْهَا؟ قَالَ: **نَعَمْ**. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**821.** Narrated Abû Umâma Al-Bâhili رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "Allâh has appointed for everyone who has a right what is due to him, and no will must be made to an heir."[2] [Reported by Ahmad and *Al-Arba'a* except An-Nasâ'i; Ahmad and At-Tirmidhi graded it *Hasan*; Ibn Khuzaima and Ibn Al-Jârûd graded it strong]. Ad-Dâraqutni reported the aforesaid *Hadîth* from the narration of Ibn 'Abbâs (رضي الله عنهما); and he added in its end: "unless the other heirs wish so." [Its chain of narrators is *Hasan*].

(٨٢١) وَعَنْ أَبِي أُمَامَةَ الْبَاهِلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: **«إِنَّ اللَّهَ قَدْ أَعْطَى كُلَّ ذِي حَقٍّ حَقَّهُ. فَلاَ وَصِيَّةَ لِوَارِثٍ»**. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ، وَحَسَّنَهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَقَوَّاهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ، وَرَوَاهُ الدَّارَقُطْنِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ، وَزَادَ فِي آخِرِهِ: **«إِلاَّ أَنْ يَشَاءَ الْوَرَثَةُ»**، وَإِسْنَادُهُ حَسَنٌ.

**822.** Narrated Mu'âdh bin Jabal رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Allâh gave a favour[3] as *Sadaqa* to you a third of your property, when you are about to die, as an addition to

(٨٢٢) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: **«إِنَّ اللَّهَ تَصَدَّقَ عَلَيْكُمْ بِثُلُثِ أَمْوَالِكُمْ عِنْدَ وَفَاتِكُمْ،**

---

[1] This man was Sa'd bin 'Ubâda رضي الله عنه. We come to know through this *Hadîth* that sons and daughters are allowed and permitted to give something in charity from the property left as inheritance without a bequest for doing so, parents do get the reward for this virtuous deed.

[2] It means that a will cannot be made for a heir, but with the permission of other heirs it is permitted, just as a bequest for more than one-third is permitted for a stranger with the permission of heirs.

[3] In Arabic, *Ihsân* (الإحسان) is a favour because in the lifetime, while hale and hearty one had the privilege to spend his money according to his free will, but after death he has no concern with his own wealth. This is Allâh Who allowed him to spend one-third of his wealth near death and make addition to his good deeds.

زِيَادَةً فِي حَسَنَاتِكُمْ». رَوَاهُ الدَّارَقُطْنِيُّ. وَأَخْرَجَهُ أَحْمَدُ وَالْبَزَّارُ مِنْ حَدِيثِ أَبِي الدَّرْدَاءِ، وَابْنُ مَاجَهْ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ، وَكُلُّهَا ضَعِيفَةٌ، لَكِنْ قَدْ يَقْوَى بَعْضُهَا بِبَعْضٍ، وَاللَّهُ أَعْلَمُ.

your good deeds." [Reported by Ad-Dâraqutni]. Ahmad and Al-Bazzâr reported the aforesaid *Hadîth* from that of Abû Ad-Dardâ. Ibn Mâjah reported it from the *Hadîth* of Abû Huraira (رضي الله عنه); and all of them are weak, but they may strengthen one another, and Allâh knows best.

## ٢٢ - بَابُ الْوَدِيعَةِ

## Chapter 22 TRUSTS

(٨٢٣) عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أُودِعَ وَدِيعَةً فَلَيْسَ عَلَيْهِ ضَمَانٌ». أَخْرَجَهُ ابْنُ مَاجَهْ، وَإِسْنَادُهُ ضَعِيفٌ.

**823.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: The Prophet صلى الله عليه وسلم said, "There is no guarantee[1] on him who is entrusted with something." [Ibn Mâjah reported it, but its chain of narrators has a weakness].

وَبَابُ قِسْمِ الصَّدَقَاتِ تَقَدَّمَ فِي آخِرِ الزَّكَاةِ، وَبَابُ قِسْمِ الْفَيءِ وَالْغَنِيمَةِ يَأْتِي عَقِبَ الْجِهَادِ إِنْ شَاءَ اللَّهُ تَعَالَى.

[The Chapter on the division of *Sadaqa* has preceeded at the end of the Book of *Zakât*. The Chapter on the division of tributes from territories the Muslims have conquered, and spoils will follow the Book of *Jihâd*, if Allâh the Most High wills.]

[1] Difference between *Amânah* (الأمانة — trust) and *'Aariya* (العارية — loan) is that what a person borrows for his own purpose and use is *'Aariya*; while *Amânah* is that thing which a person entrusts another for safety. One can use *'Aariya* as he has borrowed it for use but the use of *Amânah* is prohibited. If *'Aariya* is destroyed, the borrower have to pay for it and if *Amânah* is destroyed by chance, the trustee has not to pay for it, if he does not involve in the damage; but if the trustee has used the *Amânah* or a part of it, than he has to pay for the damage.

# 8. THE BOOK OF MARRIAGE

# ٨ - كِتَابُ النِّكَاحِ

**824.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said to us, "O young men, those of you who can support a wife should marry,[1] for it (marriage) controls the gaze and preserves one from immorality; but those who cannot should fast, for it is a means of suppressing the sexual desire." [Agreed upon].

(٨٢٤) عَنْ عَبْدِ اللهِ بْنِ مَسْعُودٍ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: قَالَ لَنَا رَسُولُ اللهِ ﷺ: يَا مَعْشَرَ الشَّبَابِ! مَنِ اسْتَطَاعَ مِنْكُمُ الْبَاءَةَ فَلْيَتَزَوَّجْ، فَإِنَّهُ أَغَضُّ لِلْبَصَرِ، وَأَحْصَنُ لِلْفَرْجِ، وَمَنْ لَمْ يَسْتَطِعْ فَعَلَيْهِ بِالصَّوْمِ، فَإِنَّهُ لَهُ وِجَاءٌ». مُتَّفَقٌ عَلَيْهِ.

**825.** Narrated Anas bin Mâlik رضي الله عنه: The Prophet صلى الله عليه وسلم praised Allâh, extolled Him and said, "Yet I pray[2] and sleep; I fast and break my fast; and I marry women. He who is displeased with my *Sunna* (practices) is not my follower." [Agreed upon].

(٨٢٥) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ حَمِدَ اللَّهَ، وَأَثْنَى عَلَيْهِ، وَقَالَ: «لَكِنِّي أَنَا أُصَلِّي، وَأَنَامُ، وَأَصُومُ، وَأُفْطِرُ، وَأَتَزَوَّجُ النِّسَاءَ، فَمَنْ رَغِبَ عَنْ سُنَّتِي فَلَيْسَ مِنِّي». مُتَّفَقٌ عَلَيْهِ.

**826.** Narrated (Anas bin Mâlik) رضي الله عنه: 'Allâh's Messenger صلى الله عليه وسلم used to command us to marry and forbid severely celibacy[3] and say, "Marry women who are very prolific and loving, for I shall outnumber the Prophets by you on the Day of Resurrection." [Reported by Ahmad and Ibn Hibbân graded it *Sahih*]. The aforesaid *Hadîth* has an authority by Abû Dâ'ud, An-Nasâ'i and Ibn

(٨٢٦) وَعَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَأْمُرُ بِالْبَاءَةِ، وَيَنْهَى عَنِ التَّبَتُّلِ نَهْياً شَدِيدًا، وَيَقُولُ: «تَزَوَّجُوا الْوَدُودَ الْوَلُودَ، فَإِنِّي مُكَاثِرٌ بِكُمُ الأَنْبِيَاءَ يَوْمَ الْقِيَامَةِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ عِنْدَ أَبِي دَاوُدَ وَالنَّسَائِيِّ وَابْنِ حِبَّانَ أَيْضاً مِنْ حَدِيثِ مَعْقِلِ بْنِ يَسَارٍ.

[1] It means that if one has enough power (physical and financial) for *Nikâh* (marriage), he should do it. Some of the scholars consider it obligatory and some others regard it only desirable.

[2] It means exaggeration in supererogatory worship is unlawful. It makes a man tired and he even fails to perform obligatory worship. A man becomes infidel if he starts thinking that his way of worship is better than the way of the Prophet صلى الله عليه وسلم.

[3] *Tabattul* (التبتل) means not to marry, thinking it a worship, and also a hindrance in worship; it is agreed by all as unlawful action, but not to marry under some unavoidable circumstances or some other reasons is quite a different matter.

Hibbân from Ma'qal bin Yasâr's *Hadîth*.

**827.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "A woman may be married for four qualities,[1] for her property, her rank, her beauty and her religion; so get the religious one and prosper." [Agreed upon; with the rest of *As-Sab'a*].

(٨٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «تُنْكَحُ الْمَرْأَةُ لِأَرْبَعٍ: لِمَالِهَا، وَلِحَسَبِهَا، وَلِجَمَالِهَا، وَلِدِينِهَا، فَاظْفَرْ بِذَاتِ الدِّينِ، تَرِبَتْ يَدَاكَ». مُتَّفَقٌ عَلَيْهِ مَعَ بَقِيَّةِ السَّبْعَةِ.

**828.** Narrated (Abû Huraira) رضي الله عنه: When the Prophet صلى الله عليه وسلم congratulated a man on his marriage he would say,[2] "Allâh bless you, grant you blessing, and prosper your union." [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi, Ibn Khuzaima and Ibn Hibbân graded it *Sahih*].

(٨٢٨) وَعَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا رَفَّأَ إِنْسَاناً، إِذَا تَزَوَّجَ، قَالَ: «بَارَكَ اللَّهُ لَكَ، وَبَارَكَ عَلَيْكَ، وَجَمَعَ بَيْنَكُمَا فِي خَيْرٍ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

**829.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم taught us *At-Tashahhud* in case of some need, which is:[3] "Praise is due to Allâh Whom we praise and from Whom we ask help and pardon. We seek refuge in Allâh from the evils within ourselves. He whom Allâh guides has no one who can lead him astray, and he whom He leads astray has no one to guide him. I testify that there is no god but Allâh, and I testify that Muhammad is His slave and

(٨٢٩) وَعَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: عَلَّمَنَا رَسُولُ اللَّهِ ﷺ التَّشَهُّدَ فِي الْحَاجَةِ «إِنَّ الْحَمْدَ لِلَّهِ، نَحْمَدُهُ، وَنَسْتَعِينُهُ، وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا، مَنْ يَهْدِهِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يُضْلِلْ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَا إِلٰهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّداً عَبْدُهُ وَرَسُولُهُ وَيَقْرَأُ ثَلَاثَ آيَاتٍ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَحَسَّنَهُ

[1] The Prophet صلى الله عليه وسلم said that there are four qualities for which a man marries a woman, out of which a Muslim should prefer a religious woman for marriage because the company affects each other. If a woman is married for another quality, there is possibility of man's going astray and leaving the religion. Another reason for choosing a religious woman is that she is the first teacher of children, and she can lead the children, the way she wants — right or wrong.

[2] The Prophet صلى الله عليه وسلم used to ask Allâh's blessing, unity, harmony and love for the newly married couple in these words.

[3] The Prophet صلى الله عليه وسلم taught this supplication for the fulfillment of every wish and desire.

Messenger." And recited three verses. [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi and Al-Hâkim graded it *Hasan*].

التِّرْمِذِيُّ وَالْحَاكِمُ.

**830.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you proposes to a woman, if he is able to look at what will induce him to marry her[1], he should do so." [Reported by Ahmad and Abû Dâ'ud. Its narrators are authoritative and Al-Hâkim declared it to be sound]. The aforesaid *Hadîth* has a supporting version by At-Tirmidhi and An-Nasâ'i from Al-Mughira. It has a supporting version too by Ibn Mâjah and Ibn Hibbân from the *Hadîth* of Muhammad bin Maslama[2].

(٨٣٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا خَطَبَ أَحَدُكُمُ الْمَرْأَةَ فَإِنِ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ، وَصَحَّحَهُ الْحَاكِمُ. وَلَهُ شَاهِدٌ عِنْدَ التِّرْمِذِيِّ وَالنَّسَائِيِّ عَنِ الْمُغِيرَةِ، وَعِنْدَ ابْنِ مَاجَهْ وَابْنِ حِبَّانَ مِنْ حَدِيثِ مُحَمَّدِ بْنِ مَسْلَمَةَ.

**831.** Muslim reported this *Hadîth* from Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم asked a man who had married a woman, "Have you looked at her?" He replied, "No." He said, "Go and look at her."

(٨٣١) وَلِمُسْلِمٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ تَزَوَّجَ امْرَأَةً: أَنَظَرْتَ إِلَيْهَا؟ قَالَ لَا، قَالَ: اذْهَبْ فَانْظُرْ إِلَيْهَا.

**832.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "One of you must not ask a woman in marriage when his brother has done so already,[3] until the first suitor gives her up before him or gives him permission." [Agreed upon. The version is of Al-Bukhâri].

(٨٣٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَخْطُبْ أَحَدُكُمْ عَلَى خِطْبَةِ أَخِيهِ، حَتَّى يَتْرُكَ الْخَاطِبُ قَبْلَهُ، أَوْ يَأْذَنَ لَهُ الْخَاطِبُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

[1] i.e. her external features like the height, face, hands and the like.

[2] He was an Ansâri, a Hârithi and among the virtuous *Sahâba*. He witnessed all the major battles except Tabuk. He became a Muslim through the efforts of Mus'ab bin 'Umair and died in 43 H. at the age of 77 years.

[3] This prohibition is to evade already settled betrothal. If a girl is already betrothed to one, the second should not make a proposal, but if the first is cancelled, than it is permitted to make a proposal.

**833.** Narrated Sahl bin Sa'd As-Sâ'idi رضي الله عنه: A woman came to Allâh's Messenger صلى الله عليه وسلم and said, "O Allâh's Messenger, I came to offer myself to you," Allâh's Messenger صلى الله عليه وسلم looked at her from feet to head and from head to feet, then Allâh's Messenger صلى الله عليه وسلم stooped his head. When the woman saw that he had not made a decision regarding her she sat down. A man of his companions then got up and said, "O Allâh's Messenger, if you have no need for her, marry her to me." He asked, "Have you anything (to give her as dowery)?" He replied, "No, I swear by Allâh, O Allâh's Messenger." He thereupon said, "Go to your family and see if you can find something." He went then returned and said, "No, I swear by Allâh I found nothing." Allâh's Messenger صلى الله عليه وسلم then said, "Look for something, even if it should be an iron ring." He went, then returned and said, "No, I swear by Allâh, O Allâh's Messenger, not even an iron ring; but I have only this lower garment of mine — Sahl said, 'He had no upper garment' — and I shall give her half of it." Allâh's Messenger صلى الله عليه وسلم then said, "What will she do with your lower garment? For if you wear it there would be nothing of it on her, and if she wears it there would be nothing of it on you." The man then sat down and when he had sit for a long time he got up and Allâh's Messenger صلى الله عليه وسلم saw him departing, so he commanded and he was called back, and when he came back, he said,

(٨٣٣) وَعَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى رَسُولِ اللهِ ﷺ فَقَالَتْ: يَا رَسُولَ اللهِ! جِئْتُ أَهَبُ لَكَ نَفْسِي، فَنَظَرَ إِلَيْهَا رَسُولُ اللهِ ﷺ، فَصَعَّدَ النَّظَرَ فِيهَا وَصَوَّبَهُ، ثُمَّ طَأْطَأَ رَسُولُ اللهِ ﷺ رَأْسَهُ، فَلَمَّا رَأَتِ الْمَرْأَةُ أَنَّهُ لَمْ يَقْضِ فِيهَا شَيْئاً جَلَسَتْ، فَقَامَ رَجُلٌ مِنْ أَصْحَابِهِ، فَقَالَ: يَا رَسُولَ اللهِ! إِنْ لَمْ تَكُنْ لَكَ بِهَا حَاجَةٌ فَزَوِّجْنِيهَا، قَالَ: **فَهَلْ عِنْدَكَ مِنْ شَيْءٍ؟** فَقَالَ: لاَ، وَاللهِ يَا رَسُولَ اللهِ! فَقَالَ: **اذْهَبْ إِلَى أَهْلِكَ، فَانْظُرْ هَلْ تَجِدُ شَيْئاً؟** فَذَهَبَ، ثُمَّ رَجَعَ، فَقَالَ: لاَ وَاللهِ، مَا وَجَدْتُ شَيْئاً. فَقَالَ رَسُولُ اللهِ ﷺ: **انْظُرْ وَلَوْ خَاتماً مِنْ حَدِيدٍ**، فَذَهَبَ ثُمَّ رَجَعَ، فَقَالَ: لاَ وَاللهِ يَا رَسُولَ اللهِ! وَلاَ خَاتَماً مِنْ حَدِيدٍ، وَلٰكِن هٰذَا إِزَارِي (– قَالَ سَهْلٌ: – مَالَهُ رِدَاءٌ –) فَلَهَا نِصْفُهُ، فَقَالَ رَسُولُ اللهِ ﷺ: **مَا تَصْنَعُ بِإِزَارِكَ؟** إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ، وَإِنْ لَبِسَتْهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ، فَجَلَسَ الرَّجُلُ، حَتَّى إِذَا طَالَ مَجْلِسُهُ قَامَ، فَرَآهُ رَسُولُ اللهِ ﷺ مُوَلِّياً فَأَمَرَ بِهِ فَدُعِيَ بِهِ، فَلَمَّا جَاءَ، قَالَ: **مَاذَا مَعَكَ مِنَ الْقُرْآنِ؟** قَالَ: مَعِي سُورَةُ كَذَا، وَسُورَةُ كَذَا، عَدَّدَهَا، فَقَالَ: **تَقْرَؤُهُنَّ عَنْ ظَهْرِ قَلْبِكَ؟** قَالَ: نَعَمْ، قَالَ: **اذْهَبْ فَقَدْ مَلَّكْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ**. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَفِي رِوَايَةٍ لَهُ: «**انْطَلِقْ فَقَدْ زَوَّجْتُكَهَا فَعَلِّمْهَا مِنَ الْقُرْآنِ**». وَفِي رِوَايَةٍ لِلْبُخَارِيِّ:

"What do you have (i.e. memorized) from the Qur'ân?" He replied, "I have *Sûrat* so and *Sûrat* so," he counted them, he whereupon asked "Can you recite them by heart?" He replied, "Yes". He said, "Go, for I have given you her in marriage for the part of the Qur'ân which you know."[1] [Agreed upon; the version is of Muslim]. A version has: "Go for I have given you her in marriage; and teach her some of the Qur'ân." A version by Al-Bukhâri has: "I have married her to you for the part of the Qur'ân which you know."

«أَمْلَكْنَاكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ».

Abû Dâ'ud reported this *Hadîth* from Abû Huraira رضي الله عنه: He asked, "What do you memorize?" He replied, "*Sûrat Al-Baqarah* and the one that follows it." He then said, "Get up and teach her twenty verses."

وَلِأَبِي دَاوُدَ عَنْ أَبِي هُرَيْرَةَ، رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: مَا تَحْفَظُ؟ قَالَ: سُورَةَ الْبَقَرَةِ وَالَّتِي تَلِيهَا، قَالَ: فَقُمْ، فَعَلِّمْهَا عِشْرِينَ آيَةً.

**834.** Narrated 'Aamir bin 'Abdullâh[2] bin Az-Zubair on the authority of his father: Allâh's Messenger صلى الله عليه وسلم said, "Make marriage publicly known."[3] [Reported by Ahmad and Al-Hâkim graded it *Sahih*].

(٨٢٤) وَعَنْ عَامِرِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ أَبِيهِ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «أَعْلِنُوا النِّكَاحَ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ الْحَاكِمُ.

---

[1] This *Hadîth* clarifies many issues, among them one is that teaching and educating Qur'ân can also be jointure. Another thing made clear is that the amount of jointure is not fixed. Some people bring a *Hadîth* as a proof that minimum amount is ten Dirhams. This is not correct and this *Hadîth* has no base.

[2] He is 'Aamir bin 'Abdullâh bin Az-Zubair bin Al-'Awwam Al-Asadi Al-Qurashi Al-Madani. He was a *Tabi'i* and heard *Ahadîth* from his father and others. He was reliable and pious, and died in 124 H.

[3] After the matrimonial ceremony, its announcement is essential to avoid the disgrace and unnecessary criticism of people and also for many other reasons. There are many forms of this announcement. Witnesses at the time of matrimonial rites is also a form of announcement. To announce in the assembly of people is another form. It can also be announced by playing *Duff* (small tambourine) but music band or fireworks are not allowed.

**835.** Narrated Abû Burda bin Abû Mûsa on the authority of his father; Allâh's Messenger صلى الله عليه وسلم said, "There is no marriage without a guardian."[1] [Ahmad and *Al-Arba'a* reported it; Ibn Àl-Madînî, At-Tirmidhi and Ibn Hibbân graded it *Sahih*, but it was regarded defective for being *Mursal*].

(٨٣٥) وَعَنْ أَبِي بُرْدَةَ عن أَبِي مُوسَى، عَنْ أَبِيهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ». رَوَاهُ أَحْمَد وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ الْمَدِينِيِّ وَالتِّرْمِذِيُّ وَابْنُ حِبَّانَ، وَأُعِلَّ بِالإِرْسَالِ.

Imâm Ahmad reported this *Hadîth* from Al-Hasan from 'Imrân bin Al-Husain as *Marfu'*: "There is no marriage without a guardian and two witnesses."

وَرَوَى الإِمَامُ أَحْمَدُ، عَنِ الْحَسَنِ، عَنْ عِمْرَانَ بْنِ الْحُصَيْنِ مَرْفُوعاً: لاَ نِكَاحَ إِلاَّ بِوَلِيٍّ وَشَاهِدَيْنِ.

**836.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "If any woman marries without the consent of her guardian, her marriage is void. If there is cohabitation, she gets her jointure for the intercourse her husband has had. If there is a dispute, the ruler is the guardian of one who has no guardian." [*Al-Arba'a* except An-Nasâ'i reported it; Abû 'Awâna, Ibn Hibbân and Al-Hâkim graded it *Sahih*].

(٨٣٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا امْرَأَةٍ نَكَحَتْ بِغَيْرِ إِذْنِ وَلِيِّهَا فَنِكَاحُهَا بَاطِلٌ، فَإِنْ دَخَلَ بِهَا فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا، فَإِنِ اشْتَجَرُوا فَالسُّلْطَانُ وَلِيُّ مَنْ لاَ وَلِيَّ لَهُ». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ أَبُو عَوَانَةَ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**837.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A woman without a husband must not be married till she is consulted, and a virgin must not be married till

(٨٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لاَ تُنْكَحُ الأَيِّمُ حَتَّى تُسْتَأْمَرَ، وَلاَ تُنْكَحُ الْبِكْرُ حَتَّى تُسْتَأْذَنَ»، قَالُوا: يَا رَسُولَ اللهِ! وَكَيْفَ إِذْنُهَا؟

[1] This *Hadîth* has been reported by about thirty Companions of the Prophet صلى الله عليه وسلم. Some of its routes are sound. First guardian is the father and the grandfather, then the brothers, and afterwards the uncles. If there is a difference of opinion among two guardians, whoever is nearer, his opinion will be preferred, and if both of them are equally near in relation as brothers and uncles, than the present ruler will be the guardian and authority to decide. If two guardians of equal status marry a woman separately, then the first marriage will be legal and the later will be considered false. If the married woman agrees to one guardian and differs with the other, than the opinion of the woman will be preferred.

her consent is asked."[1] They asked, "O Allâh's Messenger, how is her consent indicated?" He replied, "It is by her silence." [Agreed upon].

قَالَ: «أَنْ تَسْكُتَ». مُتَّفَقٌ عَلَيْهِ.

**838.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "A woman who has been previously married has more right over her person than her guardian,[2] and a virgin must be consulted, and her consent is her silence." [Reported by Muslim].

(٨٣٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «الثَّيِّبُ أَحَقُّ بِنَفْسِهَا مِنْ وَلِيِّهَا، وَالْبِكْرُ تُسْتَأْمَرُ، وَإِذْنُهَا سُكُوتُهَا». رَوَاهُ مُسْلِمٌ.

A version has: "A guardian has no authority over a woman who has been previously married; and an orphan girl must be consulted." [Reported by Abû Dâ'ud and An-Nasâ'i; Ibn Hibbân graded it *Sahih*].

وَفِي لَفْظٍ: «لَيْسَ لِلْوَلِيِّ مَعَ الثَّيِّبِ أَمْرٌ وَالْيَتِيمَةُ تُسْتَأْمَرُ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَصَحَّحَهُ ابْنُ حِبَّانَ.

**839.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A woman may not give a woman in marriage, nor may she give herself in marriage."[3] [Reported by Ibn Mâjah and Ad-Dâraqutni. Its narrators are reliable].

(٨٣٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُزَوِّجُ الْمَرْأَةُ الْمَرْأَةَ، وَلَا تُزَوِّجُ الْمَرْأَةُ نَفْسَهَا». رَوَاهُ ابْنُ مَاجَهْ وَالدَّارَقُطْنِيُّ، وَرِجَالُهُ ثِقَاتٌ.

---

[1] Consent of the woman is essential for marriage. If a guardian, even the father marries his daughter without her consent, she has got the right to cancel it.

*Aiyim* is the word in Arabic for a woman who already has sexual experience, she may be a widow or a divorced. An unmarried adulteress in reality is an *Aiyim*, but under the orders of *Shari'a*, she is not *Aiyim*. *Aiyim* must give her consent by word for her marriage otherwise the marriage is not possible; but for a virgin and *Aiyim*, if she has not reached puberty, then her consent is not necessary, only the permission of the *Wali* is sufficient.

[2] It only means that an *Aiyim* cannot be married without her consent, but it does not mean that she can marry without a guardian. If there is a difference of opinion among *Aiyim* and her guardian on the choice of spouse, and the woman's choice is from her kins and she has no illicit relation with him, then the guardian will be compelled to agree with *Aiyim*, and if he does not agree, she can ask the permission of the ruler and marry. *Dhul Arhâm* (relatives on the maternal side) can never become *Wali* (guardian).

[3] It means that regarding marriage, a woman cannot be a guardian. She cannot marry herself of her own and she cannot permit the marriage of another woman. She is also not allowed to become attorney concerning marriage.

**840.** Narrated Nâfi' from Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم prohibited *Shighâr,* which means that a man gives his daughter in marriage on condition that the other gives his daughter to him in marriage without any dowery being paid by either. [Agreed upon]. And they both agreed that the explanation of the meaning of *Shighâr* is the saying of Nâfi'.

(٨٤٠) وَعَنْ نَافِعٍ عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الشِّغَارِ، وَالشِّغَارُ أَنْ يُزَوِّجَ الرَّجُلُ ابْنَتَهُ عَلَى أَنْ يُزَوِّجَهُ الآخَرُ ابْنَتَهُ، وَلَيْسَ بَيْنَهُمَا صَدَاقٌ. مُتَّفَقٌ عَلَيْهِ، وَاتَّفَقَا مِنْ وَجْهٍ آخَرَ عَلَى أَنَّ تَفْسِيرَ الشِّغَارِ مِنْ كَلَامِ نَافِعٍ.

**841.** Narrated Ibn 'Abbâs رضي الله عنهما: A virgin girl came to the Prophet صلى الله عليه وسلم and mentioned that her father had married her against her will, so Allâh's Messenger صلى الله عليه وسلم allowed her to exercise her choice.[1] [Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah, but it was found defective for being *Mursal*].

(٨٤١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ جَارِيَةً بِكْراً أَتَتِ النَّبِيَّ ﷺ، فَذَكَرَتْ أَنَّ أَبَاهَا زَوَّجَهَا وَهِيَ كَارِهَةٌ، فَخَيَّرَهَا رَسُولُ اللهِ ﷺ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَأُعِلَّ بِالإِرْسَالِ.

**842.** Narrated Al-Hasan from Samura رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If two guardians have given any woman in marriage she marries the man she was first married to."[2] [Reported by Ahmad and *Al-Arba'a*; At Tirmidhi graded it *Hasan*].

(٨٤٢) وَعَنِ الْحَسَنِ، عَنْ سَمُرَةَ، عَنِ النَّبِيِّ ﷺ قَالَ: **أَيُّمَا امْرَأَةٍ زَوَّجَهَا وَلِيَّانِ فَهِيَ لِلأَوَّلِ مِنْهُمَا.** رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ.

**843.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Any slave[3] who marries without the

(٨٤٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ **أَيُّمَا عَبْدٍ تَزَوَّجَ بِغَيْرِ**

---

[1] It means that without the consent of woman, virgin or *Aiyim*, she cannot be married. If she is married without her consent, she has the right to cancel it or keep it, even this marriage be arranged by her father or brother.

[2] It means that if two guardians marry a woman with two different men, the first marriage is lawful and the second is unlawful, if the two marriages take place at a time, then both are unlawful. And there is no difference of opinion in it.

[3] It means that for the marriage of a slave the permission of his master is essential, without the permission of master, marriage is not accomplished. If the slave is unaware of the fact that the permission of master is essential, and he performs the sexual intercourse, then he will not be punished for it, but if he knows it, he will be punished.

permission of his masters or owners is a fornicator." [Reported by Ahmad, Abû Dâ'ud, An-Nasa'i and At-Tirmidhi; the later graded it *Sahih*, and so did Ibn Hibbân].

إِذْنِ مَوَالِيهِ وَأَهْلِهِ فَهُوَ عَاهِرٌ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ، وَكَذَلِكَ ابْنُ حِبَّانَ.

**844.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A man must not marry a woman and her paternal aunt, or a woman and her maternal aunt." [Agreed upon].

(٨٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: **«لَا يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا، وَلَا بَيْنَ الْمَرْأَةِ وَخَالَتِهَا»**. مُتَّفَقٌ عَلَيْهِ.

**845.** Narrated 'Uthmân رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "One who is in *Ihrâm*[1] may not marry, or give someone in marriage." [Reported by Muslim]. In a version by him it says: "He should neither make a betrothal." Ibn Hibbân added: "nor give someone on betrothal."

(٨٤٥) وَعَنْ عُثْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَا يَنْكِحُ الْمُحْرِمُ، وَلَا يُنْكِحُ»**. رَوَاهُ مُسْلِمٌ. وَفِي رِوَايَةٍ لَهُ: **«وَلَا يَخْطُبُ»**. زَادَ ابْنُ حِبَّانَ **«وَلَا يُخْطَبُ عَلَيْهِ»**.

**846.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم married Maimûna (رضي الله عنها) when he was in the state of *Ihrâm* during *Hajj* (pilgrimage). [Agreed upon]. Muslim reported this *Hadîth* from Maimûna (رضي الله عنها) herself: "The Prophet صلى الله عليه وسلم married her when he was not in the state of *Ihrâm*."

(٨٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: تَزَوَّجَ النَّبِيُّ ﷺ مَيْمُونَةَ وَهُوَ مُحْرِمٌ مُتَّفَقٌ عَلَيْهِ. وَلِمُسْلِمٍ عَنْ مَيْمُونَةَ نَفْسِهَا: أَنَّ النَّبِيَّ ﷺ تَزَوَّجَهَا وَهُوَ حَلَالٌ.

**847.** Narrated 'Uqba bin 'Aamir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The most worthy conditions to be fulfilled[2] are those by which you make sexual intercourse lawful for yourselves." [Agreed upon].

(٨٤٧) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ أَحَقَّ الشُّرُوطِ أَنْ يُوَفَّى بِهِ، مَا اسْتَحْلَلْتُمْ بِهِ الْفُرُوجَ»**. مُتَّفَقٌ عَلَيْهِ.

---

[1] While in the state of *Ihrâm*, taking part in the betrothal or marriage of one's ownself or of someone else, according to most of the scholars, is not permitted. As regards the next *Hadîth* reported by Ibn 'Abbâs رضي الله عنهما, according to chain of narrators, it is correct, but he was mistaken that the Prophet صلى الله عليه وسلم married Maimuna رضي الله عنها while he was in the *Ihrâm*. Maimuna herself has confuted this in the *Hadîth* coming after it.

[2] It means that the payment of jointure money is essential.

**848.** Narrated Salama bin Al-Akwa' رضي الله عنه: In the year of Autâs, Allâh's Messenger صلى الله عليه وسلم permitted a temporary marriage[1] for three nights, but he prohibited it afterwards. [Reported by Muslim].

(٨٤٨) وَعَنْ سَلَمَةَ بْنِ الْأَكْوَعِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: رَخَّصَ رَسُولُ اللهِ ﷺ عَامَ أَوْطَاسٍ فِي الْمُتْعَةِ ثَلَاثَةَ أَيَّامٍ، ثُمَّ نَهَى عَنْهَا. رَوَاهُ مُسْلِمٌ.

**849.** Narrated 'Ali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade the temporary marriage in the year of Khaibar. [Agreed upon].

(٨٤٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنِ الْمُتْعَةِ عَامَ خَيْبَرَ. مُتَّفَقٌ عَلَيْهِ.

**850.** Narrated ('Ali) رضي الله عنه: At the battle of Khaibar, the Prophet صلى الله عليه وسلم forbade the temporary marriage (i.e. *Mut'a*) of women, and eating the flesh of domestic asses. [*As-Sab'a* except Abû Dâ'ud reported it].

(٨٥٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ مُتْعَةِ النِّسَاءِ، وَعَنْ أَكْلِ الْحُمُرِ الْأَهْلِيَّةِ يَوْمَ خَيْبَرَ. أَخْرَجَهُ السَّبْعَةُ إِلَّا أَبَا دَاوُدَ.

**851.** Narrated Rabî' bin Sabra[2] on the authority of his father: Allâh's Messenger صلى الله عليه وسلم said, "I had permitted to you the temporary marriage of women, but Allâh has prohibited you from that till the Day of Resurrection. So if anyone has a woman by temporary marriage he should let her go; and do not take back any of your gifts from them." [Reported by Muslim, Abû Dâ'ud, An-Nasâ'i, Ibn Mâjah, Ahmad and Ibn Hibbân].

(٨٥١) وَعَنْ رَبِيعِ بْنِ سَبْرَةَ، عَنْ أَبِيهِ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**إِنِّي كُنْتُ أَذِنْتُ لَكُمْ فِي الِاسْتِمْتَاعِ مِنَ النِّسَاءِ، وَإِنَّ اللَّهَ قَدْ حَرَّمَ ذَلِكَ إِلَى يَوْمِ الْقِيَامَةِ، فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهَا، وَلَا تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئًا**». أَخْرَجَهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ وَأَحْمَدُ وَابْنُ حِبَّانَ.

**852.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم cursed the man who made a woman lawful for her first husband and the one for

(٨٥٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الْمُحَلِّلَ وَالْمُحَلَّلَ لَهُ. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ،

---

[1] *Mut'a* (المتعة) is a marriage for stipulated period only. This form of marriage was customary in Arab in the past. Islâm at times put restrictions on it and at times permitted it under specific conditions, and at last it was declared unlawful forever at *Hajjat-ul-Wada'* (Farewell *Hajj* of the Prophet صلى الله عليه وسلم).

[2] Rabi' bin Sabra bin Ma'bad Al-Juhani Al-Madani was verified to be reliable by An-Nasâ'i and Al-'Ajli.

whom she was made lawful (the men involving in *Halâla*).[1]' [Reported by Ahmad, An-Nasâ'i and At-Tirmidhi; the latter declared it to be sound]. *Al-Arba'a* except An-Nasâ'i reported something similar to the aforesaid chapter on the authority of 'Ali رضي الله عنه.

وَصَحَّحَهُ، وَفِي الْبَابِ عَنْ عَلِيٍّ، أَخْرَجَهُ الْأَرْبَعَةُ إِلَّا النَّسَائِيَّ.

**853.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A man guilty of fornication who has been flogged should not marry any but a woman similarly guilty."[2] [Reported by Ahmad and Abû Dâ'ud; its narrators are reliable].

(٨٥٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَنْكِحُ الزَّانِي الْمَجْلُودُ إِلَّا مِثْلَهُ**». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَرِجَالُهُ ثِقَاتٌ.

**854.** Narrated 'Aisha رضي الله عنها: A man divorced his wife by three pronouncements and another man married her and divorced her before cohabiting with her. Then her first husband intended to remarry her and asked Allâh's Messenger صلى الله عليه وسلم about that and he said, "No, until the other one has experienced sexual intercourse[3] with her as the first husband had." [Agreed upon; the version being of Muslim].

(٨٥٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: طَلَّقَ رَجُلٌ امْرَأَتَهُ ثَلَاثًا، فَتَزَوَّجَهَا رَجُلٌ، ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا. فَأَرَادَ زَوْجُهَا الْأَوَّلُ أَنْ يَتَزَوَّجَهَا، فَسَأَلَ رَسُولَ اللهِ ﷺ عَنْ ذٰلِكَ، فَقَالَ: **لَا حَتَّى يَذُوقَ الْآخَرُ مِنْ عُسَيْلَتِهَا مَا ذَاقَ الْأَوَّلُ**. مُتَّفَقٌ عَلَيْهِ. وَاللَّفْظُ لِمُسْلِمٍ.

---

[1] *Halâla* (حلالة) means to marry a divorced woman temporarily with the intention of making her remarriage to her former husband lawful. This act is unlawful. Marriage based on intended divorce is unlawful, whether its period is prescribed or not.

[2] It means that a pious man should not marry a fornicatoress and a pious woman should not marry an adulterer or a fornicator.

[3] It means that a divorced woman, if remarried to another man, and after having sexual relations with him is divorced again or her husband dies, than she is allowed to marry her first husband, but if she has not completed sexual relations with the second husband, she is not allowed to marry her first husband.

## Chapter 1
## EQUALITY IN MARRIAGE[1] AND RIGHT OF CHOICE

## ١ - بَابُ الْكَفَاءَةِ وَالْخِيَارِ

**855.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The Arabs are equal to one another and the *Mawâli*[2] are equal to one another;[3] except a weaver or a cupper." [Reported by Al-Hâkim, but there is a nameless narrator in its chain of narrators; Abû Hâtim graded it *Munkar*, and it has another version reported by Al-Bazzâr from Mu'âdh bin Jabal with a *Munqati'* chain].

(٨٥٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْعَرَبُ بَعْضُهُمْ أَكْفَاءُ بَعْضٍ، وَالْمَوَالِي بَعْضُهُمْ أَكْفَاءُ بَعْضٍ، إِلاَّ حَائِكاً أَوْ حَجَّاماً». رَوَاهُ الْحَاكِمُ، وَفِي إِسْنَادِهِ رَاوٍ لَمْ يُسَمَّ، وَاسْتَنْكَرَهُ أَبُو حَاتِمٍ، وَلَهُ شَاهِدٌ عِنْدَ الْبَزَّارِ عَنْ مُعَاذِ بْنِ جَبَلٍ بِسَنَدٍ مُنْقَطِعٍ.

**856.** Narrated Fatima رضى الله عنها, daughter of Qais: The Prophet صلى الله عليه وسلم told her, "Marry Usâma.[4]" [Reported by Muslim].

(٨٥٦) وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لَهَا: «انْكِحِي أُسَامَةَ». رَوَاهُ مُسْلِمٌ.

**857.** Narrated Abû Huraira رضى الله عنه: The Prophet صلى الله عليه وسلم said, "O sons of Bayâda', marry to Abû Hind[5] (someone of your women) and marry from him women (i.e. his daughters)," and yet he was a cupper. [Abû Dâ'ud

(٨٥٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «يَا بَنِي بَيَاضَةَ أَنْكِحُوا أَبَا هِنْدٍ وَانْكِحُوا إِلَيْهِ، وَكَانَ حَجَّاماً». رَوَاهُ أَبُو دَاوُدَ وَالْحَاكِمُ بِسَنَدٍ حَسَنٍ.

---

[1] In Arabic *Kufu'* (كفؤ) means to be similar or resembling or peer. Similarity or equality in four things — religion, lineage, profession and freedom is regarded reliable. Among these four, religion is agreed upon. Lineage is not proved from any true and authentic *Hadith*, rest of the two, profession and freedom are admitted by all. To marry other than *Kufu,* is not prohibited but it is better to marry in *Kufu'* for many reasons.

[2] Non-Arabs and originally former slaves.

[3] It means that *Shari'a* has kept the profession in view merely to make the social life easy, otherwise it has no consideration for marriage purposes. Fatimá bint Qais Qurashi was asked to marry Usâma (son of freed slave). It means that lineage has no special prestige in Islâm.

[4] Yet his father was a former slave.

[5] His name was Yasâr or Sâlim bin Abû Sâlim or 'Abdullâh bin Hind, and he used to cup the Prophet صلى الله عليه وسلم. He was a slave of Banu Bayadâ'. Ibn 'Abbâs, Abû Huraira, Jâbir and Khâlid رضى الله عنهم narrated *Ahadîth* from him.

and Al-Hâkim reported it with a good chain of narrators].

**858.** Narrated 'Aisha رضي الله عنها: Barira was given her choice regarding her husband when she was freed. [Agreed upon; it is a part of a long *Hadîth*].

Muslim has from 'Aisha رضي الله عنها: "Her husband was a slave." A version from her has: "He was a free man." The first opinion is more well established. It was confirmed to be a sound opinion from Ibn 'Abbâs رضي الله عنهما by Al-Bukhâri: "He was a slave."

(٨٥٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: خُيِّرَتْ بَرِيرَةُ عَلَى زَوْجِهَا حِينَ عَتَقَتْ. مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

وَلِمُسْلِمٍ عَنْهَا: «أَنَّ زَوْجَهَا كَانَ عبداً»، وَفِي رِوَايَةٍ عَنْهَا: «كَانَ حُرّاً»، وَالْأَوَّلُ أَثْبَتُ، وَصَحَّ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عِنْدَ الْبُخَارِيِّ: «أَنَّهُ كَانَ عَبْداً».

**859.** Narrated Ad-Dahhâk[1] bin Fairûz Ad-Dailami on the authority of his father[2] رضي الله عنه: I said, "O Allâh's Messenger, I have accepted Islâm and I am married to two sisters." Allâh's Messenger صلى الله عليه وسلم then said, "Divorce whichever of them you wish."[3] [Reported by Ahmad and *Al-Arba'a*, except An-Nasâ'i; Ibn Hibbân, and Ad-Daraqutni. Al-Baihaqi graded it *Sahih* but Al-Bukhâri graded it defective].

(٨٥٩) وَعَنِ الضَّحَّاكِ بْنِ فَيْرُوزَ الدَّيْلَمِيِّ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي أَسْلَمْتُ، وَتَحْتِي أُخْتَانِ، فَقَالَ رَسُولُ اللهِ ﷺ: «طَلِّقْ أَيَّتَهُمَا شِئْتَ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ وَالْبَيْهَقِيُّ، وَأَعَلَّهُ الْبُخَارِيُّ.

---

[1] Ad-Dahhâk bin Fairuz Ad-Dailami -- Ad-Dailam being a famous mountain in Persia — was a renowned *Tabi'i* whose reliability has been verified by Ibn Hibbân. He narrated *Ahadîth* from his father, and his *Ahadîth* have been mastered by the people of Basra.

[2] He is Abû 'Abdullâh Fairuz Ad-Dailami or Al-Himyari — for selling at Himyar — was a Persian from San'â and among those who visited the Prophet صلى الله عليه وسلم. He fought Al-'Ansi 'the impostor' who claimed prophethood in Yemen, whom he managed to kill towards the last days of the life of Allâh's Messenger صلى الله عليه وسلم who received the news during the illness in which he died. Fairuz died during the caliphate of 'Uthmân.

[3] This *Hadîth* makes clear two things: One is that, if two real sisters are married to one man, he shall have to divorce one of them; and second that, the marriages effectuated before Islâm are accepted by Islâm though they were not in accordance with Islâmic ways, anyhow a woman cannot be free from this marriage without divorce. This *Hadîth* also clarifies that if a married couple accepts Islâm, they have no need to marry again, their first marriage is considered legal in Islâm.

**860.** Narrated Sâlim on the authority of his father: Ghailân bin Salama[1] accepted Islâm and he had ten wives who accepted Islâm along with him; so the Prophet صلى الله عليه وسلم commanded him to, "Choose four of them."[2] [Reported by Ahmad and At-Tirmidhi. Ibn Hibbân and Al-Hâkim graded it *Sahih*; but Al-Bukhâri, Abû Zar'a and Abû Hâtim graded it defective].

(٨٦٠) وَعَنْ سَالِمٍ، عَنْ أَبِيهِ، أَنَّ غَيْلَانَ بْنَ سَلَمَةَ أَسْلَمَ، وَلَهُ عَشْرُ نِسْوَةٍ، فَأَسْلَمْنَ مَعَهُ، فَأَمَرَهُ النَّبِيُّ ﷺ أَنْ يَتَخَيَّرَ مِنْهُنَّ أَرْبَعاً. رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ، وَأَعَلَّهُ الْبُخَارِيُّ وَأَبُو زُرْعَةَ وَأَبُو حَاتِمٍ.

**861.** Narrated Ibn 'Abbâs رضى الله عنهما: The Prophet صلى الله عليه وسلم restored his daughter Zainab (رضي الله عنها) to Abûl-'Aas bin Ar-Rabi' (رضي الله عنه) after six years by the first marriage,[3] and he did not perform a new marriage. [Reported by Ahmad and *Al-Arba'a* except An-Nasâ'i; Ahmad and Al-Hâkim graded it *Sahih*].

(٨٦١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَدَّ النَّبِيُّ ﷺ ابْنَتَهُ زَيْنَبَ عَلَى أَبِي الْعَاصِ بْنِ الرَّبِيعِ بَعْدَ سِتِّ سِنِينَ بِالنِّكَاحِ الْأَوَّلِ، وَلَمْ يُحْدِثْ نِكَاحاً. رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَصَحَّحَهُ أَحْمَدُ وَالْحَاكِمُ.

**862.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: The Prophet صلى الله عليه وسلم restored his daughter Zainab[4] (رضي الله عنها)

(٨٦٢) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ رَدَّ ابْنَتَهُ زَيْنَبَ

---

[1] Ghailân bin Salama Ath-Thaqafi was one of the elders of Thaqif, he became a Muslim after the conquest of Tâ'if and did not migrate to Al-Madîna. He was a poet with a nice voice. He died during 'Umar's Caliphate.

[2] Having more than four wives in marriage at a time is unlawful and there is no difference of opinion in this regard. Having nine wives by the Prophet صلى الله عليه وسلم at a time was exclusively for him.

[3] If the woman accepts Islâm and her husband remains infidel, according to most of the scholars, their marriage is cancelled and after the completion of *'Iddah* (period during which a widow or a divorcee may not remarry) she will be deemed free from the bond of marriage. The story of Zainab رضي الله عنها has many elucidations, actually marriage is not cancelled, but marrying afresh is better.

[4] She was the eldest of Allâh's Messenger's daughters, and her mother was *Umm-ul-Mu'minin* Khadija Al-Kubra رضي الله عنها. She was married by her maternal aunt's son Abûl 'Aas bin Ar-Rabi' and she bore him 'Ali, but he died as a grown-up child. Abûl 'Aas rode on the back seat of the Prophet's camel on the day of *Al-Fath*. Zainab also bore Umama to Abûl 'Aas. She migrated after the battle of Badr and died in 8 H. The Prophet صلى الله عليه وسلم entered her grave.

to Abûl-'Aas[1] (رضى الله عنه) by a new marriage. [At-Tirmidhi said, "The *Hadîth* of Ibn 'Abbâs (رضى الله عنهما) is more excellent than 'Amr's *Hadîth* regarding the chains of narrators, but the authorized one is 'Amr bin Shu'aib's *Hadîth*"].

عَلَى أَبِي الْعَاصِ بِنِكَاحٍ جَدِيدٍ. قَالَ التِّرْمِذِيُّ: حَدِيثُ ابْنِ عَبَّاسٍ أَجْوَدُ إِسْنَاداً، وَالْعَمَلُ عَلَى حَدِيثِ عَمْرِو بْنِ شُعَيْبٍ.

**863.** Narrated Ibn 'Abbâs رضى الله عنهما: A woman had accepted Islâm then married, so her husband came and said, "O Allâh's Messenger, I had accepted Islâm and she knew that I had done so." So Allâh's Messenger صلى الله عليه وسلم took her away from her second husband and restored her to her first one.[2] [Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah. Ibn Hibbân and Al-Hâkim graded it *Sahih*].

(٨٦٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَسْلَمَتِ امْرَأَةٌ، فَتَزَوَّجَتْ، فَجَاءَ زَوْجُهَا: فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي كُنْتُ أَسْلَمْتُ، وَعَلِمَتْ بِإِسْلَامِي، فَانْتَزَعَهَا رَسُولُ اللهِ ﷺ مِنْ زَوْجِهَا الْآخَرِ، وَرَدَّهَا إِلَى زَوْجِهَا الْأَوَّلِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**864.** Narrated Zaid bin Ka'b bin 'Ujra[3] رضى الله عنه on his father's authority: 'Allâh's Messenger صلى الله عليه وسلم married Al-'Aaliya[4] of Banu Ghifâr. When she had entered in his presence and doffed her clothes, he

(٨٦٤) وَعَنْ زَيْدِ بْنِ كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنْ أَبِيهِ، قَالَ: تَزَوَّجَ رَسُولُ اللهِ ﷺ الْعَالِيَةَ مِنْ بَنِي غِفَارٍ، فَلَمَّا دَخَلَتْ عَلَيْهِ، وَوَضَعَتْ ثِيَابَهَا، رَأَى

[1] He is called Miqsam bin Ar-Rabi' bin 'Abdul-'Uzza. It is also said that he was called Laqit. He was the son-in-law of the Prophet صلى الله عليه وسلم and the husband of his daughter Zainab. He was captured during the battle of Badr as a *Kafir*, but was set free without ransom on condition that he brings Zainab to Al-Madîna and he did so. He later migrated to Al-Madîna himself and took the Prophet صلى الله عليه وسلم as his Muslim brother and his confidant. He was martyred during the battle of Yamama.

[2] It means that if the separation is due to the difference of religion, and during *'Iddah* man also accepts Islâm, and woman comes to know, then she cannot marry another person. If she marries unknowingly, her marriage will be cancelled, but having her sexual relations during this period will not be a punishable act according to *Shari'a*.

[3] It is said that he was from Banu Sâlim bin 'Auf or Banu Sâlim bin Bali and was an ally of Al-Khazraj. Adh-Dhahabi mentioned in *Talkhis Al-Mustadrak* that Ibn Ma'in said, "He is not reliable", but Ibn Ma'in said that regarding Jamil bin Zaid.

[4] It was said that she was from Banu Bakr bin Kilâb and she is Al-'Aaliya bint Zubyân. It was also said that this Al-'Aaliya was not from Banu Kilâb. Some reporters said that he kept her for some time and then divorced her.

saw whiteness on her flanks[1] and the Prophet صلى الله عليه وسلم said, "Put on your clothes and return to your family," and he ordered her jointure to be given to her. [Reported by Al-Hâkim]. In its chain of narrators, is Jamil bin Zaid[2], who is unknown and it was disagreed with many different views regarding his *Sheikh*.

بِكَشْحِهَا بَيَاضاً، فَقَالَ النَّبِيُّ ﷺ: «الْبَسِي ثِيَابَكِ، وَالْحَقِي بِأَهْلِكِ»، وَأَمَرَ لَهَا بِالصَّدَاقِ. رَوَاهُ الْحَاكِمُ، وَفِي إِسْنَادِهِ جَمِيلُ بْنُ زَيْدٍ، وَهُوَ مَجْهُولٌ، وَاخْتُلِفَ عَلَيْهِ فِي شَيْخِهِ اخْتِلَافاً كَثِيراً.

**865.** Narrated Sa'îd bin Al-Musaiyab: 'Umar bin Al-Khattâb رضي الله عنه said, "If any man marries a woman and after cohabitation with her finds that she is mad or affected with leprosy, she gets her jointure (after he divorces her) for having intercourse with her and it is due to him from the one who has deceived him[3] with her." [Sa'îd bin Mansûr, Mâlik and Ibn Abû Shaiba reported it. Its narrators are reliable].

(٨٦٥) وَعَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَيُّمَا رَجُلٍ تَزَوَّجَ امْرَأَةً، فَدَخَلَ بِهَا، فَوَجَدَهَا بَرْصَاءَ، أَوْ مَجْنُونَةً، أَوْ مَجْذُومَةً، فَلَهَا الصَّدَاقُ بِمَسِيسِهِ إِيَّاهَا، وَهُوَ لَهُ عَلَى مَنْ غَرَّهُ مِنْهَا. أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ وَمَالِكٌ وَابْنُ أَبِي شَيْبَةَ، وَرِجَالُهُ ثِقَاتٌ.

Sa'îd (bin Al-Musaiyab) also reported something similar from 'Ali (رضي الله عنه) and added: "And (if) she has something like a horn in her vagina hindering cohabitation, her husband has then the right to divorce her or keep her, and if he had intercourse with her, she gets her jointure for the intercourse her husband has had."

وَرَوَى سَعِيدٌ أَيْضاً عَنْ عَلِيٍّ نَحْوَهُ، وَزَادَ: «وَبِهَا قَرَنٌ، فَزَوْجُهَا بِالْخِيَارِ، فَإِنْ مَسَّهَا فَلَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا».

---

[1] It means that if the guardians of a woman, by cheating, marry a physically deformed permanently sick or insane or a woman afflicted with leprosy or leucoderma, the marriage is cancelled due to their fraud. Similarly if a woman is married by cheating to a defective or an abnormal man, she has the right to end it. If both man and woman agree, the marriage is valid.

[2] He was from the Tâ'i tribe and Ibn Ma'in and An-Nasâ'i said, "He is not reliable." Al-Bukhâri also said, "His *Hadîth* is not authentic." The *Imâm* of *Hadîth* also verified him as weak.

[3] It means that if man does not want to keep such a woman, the jointure money is an unjust burden on him.

**866.** Narrated Sa'îd bin Al-Musaiyab this *Hadîth* also: 'Umar رضى الله عنه gave a decree regarding a husband who is impotent that he must be given delay for a year.[1] [Its narrators are reliable].

(٨٦٦) وَمِنْ طَرِيقِ سَعِيدِ بْنِ الْمُسَيَّبِ أَيْضاً قَالَ: قَضَى بِهِ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي الْعِنِّينِ أَنْ يُؤَجَّلَ سَنَةً. وَرِجَالُهُ ثِقَاتٌ.

## Chapter 2 RELATIONS WITH THE WIVES

## ٢ - بَابُ عِشْرَةِ النِّسَاءِ

**867.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who has intercourse with a woman through her anus is accursed."[2] [Abû Dâ'ud and An-Nasâ'i reported it and the version is of the latter. Its narrators are reliable, but it was found to be defective for being *Mursal*].

(٨٦٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَلْعُونٌ مَنْ أَتَى امْرَأَةً فِي دُبُرِهَا». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَاللَّفْظُ لَهُ، وَرِجَالُهُ ثِقَاتٌ، لَكِن أُعِلَّ بِالإِرْسَالِ.

**868.** Narrated Ibn 'Abbâs رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Allâh will not look at a man who has intercourse with a man or a woman through the anus." [Reported by At-Tirmidhi, An-Nasâ'i and Ibn Hibbân, but it was found to be defective for being *Mawqûf*].

(٨٦٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَنْظُرُ اللَّهُ إِلَى رَجُلٍ أَتَى رَجُلاً، أَوْ امْرَأَةً فِي دُبُرِهَا». رَوَاهُ التِّرْمِذِيُّ وَالنَّسَائِيُّ وَابْنُ حِبَّانَ، وَأُعِلَّ بِالْوَقْفِ.

**869.** Narrated Abû Huraira رضى الله عنه: The Prophet صلى الله عليه وسلم said, "He who believes in Allâh and the last Day should not annoy his neighbour;[3] and take my advice regarding the good treatment with women, for they were created from a rib and the most

(٨٦٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلَا يُؤْذِ جَارَهُ، وَاسْتَوْصُوا بِالنِّسَاءِ خَيْراً، فَإِنَّهُنَّ خُلِقْنَ مِنْ

[1] It means that according to *Shari'a*, impotent is he who lacks sufficient strength to insert his penis into vagina. If he inserts once only, he will not be regarded impotent.

[2] All the religious scholars are of the opinion that anal sexual intercourse with woman is unlawful.

[3] Harming or hurting a Muslim is absolutely unlawful and harming the neighbour is a mortal sin.

ضِلَعٍ، وإنَّ أعوجَ شَيْءٍ في الضِّلَعِ أعلاهُ، فإنْ ذهبتَ تقيمُهُ كسرْتَهُ، وإنْ تركْتَهُ لم يزلْ أعوجَ، فاسْتَوْصُوا بالنِّساءِ خيراً». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَلِمُسْلِمٍ: «فَإِنِ اسْتَمْتَعْتَ بِهَا اسْتَمْتَعْتَ بِهَا وَبِهَا عِوَجٌ، وَإِنْ ذَهَبْتَ تُقِيمُهَا كَسَرْتَهَا، وَكَسْرُهَا طَلاقُهَا».

crooked part of a rib is its top. If you attempt to straighten it, you will break it,[1] and if you leave it alone it will remain crooked; so take my advice regarding the good treatment with women." [Agreed upon; the version is of Al-Bukhâri]. Muslim has: "So if you enjoy her you will do so while crookedness remains in her; but if you attempt to straighten her you will break her, and breaking her is divorcing her."

(٨٧٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ فِي غَزَاةٍ، فَلَمَّا قَدِمْنَا الْمَدِينَةَ، ذَهَبْنَا لِنَدْخُلَ، فَقَالَ ﷺ: «أَمْهِلُوا حَتَّى تَدْخُلُوا لَيْلاً، يَعْنِي عِشاءً، لِكَيْ تَمْتَشِطَ الشَّعِثَةُ، وَتَسْتَحِدَّ الْمُغِيبَةُ». مُتَّفَقٌ عَلَيْهِ.

**870.** Narrated Jâbir رضي الله عنه: We were along with the Prophet صلى الله عليه وسلم on an expedition. Then when we arrived at Al-Madîna and were about to enter he said, "Wait[2] so that you may enter by night - i.e. in the evening in order that the woman with dishevelled hair may comb it and the woman whose husband has been away may shave her private hairs (getting ready for her husband)." [Agreed upon].

وَفِي رِوَايَةٍ لِلْبُخَارِيِّ: «إِذَا أَطَالَ أَحَدُكُمُ الْغَيْبَةَ، فَلاَ يَطْرُقْ أَهْلَهُ لَيْلاً».

A version by Al-Bukhâri has: "When one of you has been away from home for a long time, he must not come to his family during the night."

(٨٧١) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ

**871.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The worst of people in

---

[1] This *Hadith* teaches to treat the women with kindness. Woman is crooked by nature. There are many wisdoms for its crookedness and it is very difficult to tackle her. Woman is like a rib, and a healthy rib is crooked by nature, therefore it should not be tried to straighten the rib otherwise it will break and cause pain.

[2] It means that if anyone returns home from a long journey, he should not go directly to his house. It is better to send the information of arrival and spend the night out of house. There are many reasons for staying out. In the absence of man, women usually do not clean themselves, and particularly the private parts of their body. Unclean and dirty women may loose the husband as he may start disliking her, etc.

position before Allâh on the Day of Resurrection is the man who has intercourse with his wife, and she with him, and then spreads her secrets."[1] [Reported by Muslim].

**872.** Narrated Hâkim bin Mu'âwiya on the authority of his father (رضي الله عنه): I asked, "O Messenger of Allâh, what are the rights of a wife of one of us on her husband?" He replied, "You should give her food when you eat, clothe her when you clothe yourself, not strike her on the face, and do not revile her or desert her except within the house." [Reported by Ahmad, Abû Dâ'ud, An-Nasâ'i and Ibn Mâjah. Al-Bukhâri traced back some of it no further than Hâkim's father; Ibn Hibbân and Al-Hâkim graded it *Sahih*].

**873.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: The Jews used to say, "When a man has intercourse with his wife through the vagina, but from her back side the child will have a squint," so the verse came down: "Your wives are a tilth to you, so come to your tilth however you wish" [Agreed upon; the version is of Muslim].

**874.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone who intends to have intercourse with his wife says, 'In the Name of Allâh. O Allâh, keep us away from the devil and keep the devil away from what You have provided us', should it be ordained that a child be born to them thereby,

**شَرَّ النَّاسِ عِنْدَ اللهِ مَنْزِلَةً يَوْمَ الْقِيَامَةِ الرَّجُلُ يُفْضِي إِلَى امْرَأَتِهِ، وَتُفْضِي إِلَيْهِ، ثُمَّ يَنْشُرُ سِرَّهَا».** أَخْرَجَهُ مُسْلِمٌ.

(٨٧٢) وَعَنْ حَكِيمِ بْنِ مُعَاوِيَةَ، عَنْ أَبِيهِ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَا حَقُّ زَوْجِ أَحَدِنَا عَلَيْهِ؟ قَالَ: **«تُطْعِمُهَا إِذَا أَكَلْتَ، وَتَكْسُوهَا إِذَا اكْتَسَيْتَ، وَلَا تَضْرِبِ الْوَجْهَ، وَلَا تُقَبِّحْ، وَلَا تَهْجُرْ إِلَّا فِي الْبَيْتِ».** رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَعَلَّقَ الْبُخَارِيُّ بَعْضَهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

(٨٧٣) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَتِ الْيَهُودُ تَقُولُ إِذَا أَتَى الرَّجُلُ امْرَأَتَهُ مِنْ دُبُرِهَا فِي قُبُلِهَا كَانَ الْوَلَدُ أَحْوَلَ، فَنَزَلَتْ **﴿نِسَاؤُكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْثَكُمْ أَنَّى شِئْتُمْ﴾** الآيَةَ. مُتَّفَقٌ عَلَيْهِ. وَاللَّفْظُ لِمُسْلِمٍ.

(٨٧٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«لَوْ أَنَّ أَحَدَكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ: بِسْمِ اللهِ، اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ، وَجَنِّبِ الشَّيْطَانَ مَا رَزَقْتَنَا، فَإِنَّهُ إِنْ يُقَدَّرْ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ،**

---

[1] It means that talking about the events and occurrences of love making and coition to others is a mortal sin.

no devil will ever harm it." [Agreed upon].

لَمْ يَضُرَّهُ الشَّيْطَانُ أَبَداً». مُتَّفَقٌ عَلَيْهِ.

**875.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When a woman who has been called to come to her husband's bed refuses to come and he spends the night in anger, the angels curse her till the morning." [Agreed upon; the version is of Al-Bukhâri]. Muslim has: "He Who is in heaven is displeased with her till her husband is pleased with her."

(٨٧٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ، فَأَبَتْ أَنْ تَجِيءَ، فَبَاتَ غَضْبَانَ، لَعَنَتْهَا الْمَلَائِكَةُ حَتَّى تُصْبِحَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ. وَلِمُسْلِمٍ: «كَانَ الَّذِي فِي السَّمَاءِ سَاخِطاً عَلَيْهَا، حَتَّى يَرْضَى عَنْهَا».

**876.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم cursed the woman[1] who joins false hair to the real hair and the one who asks for it; and the woman who tattooes and the one who has it done (for her). [Agreed upon].

(٨٧٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ لَعَنَ الْوَاصِلَةَ وَالْمُسْتَوْصِلَةَ، وَالْوَاشِمَةَ وَالْمُسْتَوْشِمَةَ. مُتَّفَقٌ عَلَيْهِ.

**877.** Narrated Judâma[2] رضي الله عنها daughter of Wahb: I was with Allâh's Messenger صلى الله عليه وسلم along with some people when he was saying, "I have intended to prohibit suckling during the pregnancy,[3] but I considered the Romans and the Persians and saw that they suckled their children during pregnancy without any injury being caused to their children thereby." Then they

(٨٧٧) وَعَنْ جُذَامَةَ بِنْتِ وَهْبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: حَضَرْتُ رَسُولَ اللَّهِ ﷺ فِي أُنَاسٍ، وَهُوَ يَقُولُ: «لَقَدْ هَمَمْتُ أَنْ أَنْهَى عَنِ الْغِيلَةِ، فَنَظَرْتُ فِي الرُّومِ وَفَارِسَ، فَإِذَا هُمْ يُغِيلُونَ أَوْلَادَهُمْ، فَلَا يَضُرُّ ذَلِكَ أَوْلَادَهُمْ شَيْئاً» ثُمَّ سَأَلُوهُ عَنِ الْعَزْلِ، فَقَالَ

---

[1] In this *Hadith* four types of women have been cursed: Those who use a wig to make their hair look long and those who are involved in this business. Those who tattoo their bodies and those who are tattoo designers. These four types have been cursed. Nowadays the use of artificial hair is very common among the women for beautification.

[2] She is Judâma, daughter of Wahb — also called Jundal Al-Asadiya, the maternal sister of 'Ukâsha bin Mihsan. She was a *Sahabiya* among the early Muslims and she migrated to Al-Madîna. She became a Muslim at Makka and boycotted her people. She was married to Anis bin Qatâda.

[3] In Arabic, it is called *Ghila* (الغيلة) which means to have sexual intercourse with the wife before weaning the child.

asked him about *'Azl*[1] (withdrawing the penis before emission of semen to avoid conception), and Allâh's Messenger صلى الله عليه وسلم replied, "That is the secret burying alive." [Reported by Muslim].

رَسُولُ اللهِ ﷺ: «ذَلِكَ الْوَأْدُ الْخَفِيُّ». رَوَاهُ مُسْلِمٌ.

**878.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: A man said, "O Allâh's Messenger, I have a slave-girl and I withdraw the penis while having intercourse with her and do not want her to conceive, but I want (from her) what men want from women and the Jews used to say — Withdrawing the penis to avoid conception is the minor burying alive." He replied, "The Jews told a lie, for if Allâh wishes to create it you would not be able to turn it away." [Reported by Ahmad and Abû Dâ'ud, the version is of Abû Dâ'ud; An-Nasâ'i and At-Tahâwi reported it too. Its narrators are reliable].

(٨٧٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللهِ! إِنَّ لِي جَارِيَةً، وَأَنَا أَعْزِلُ عَنْهَا، وَأَنَا أَكْرَهُ أَنْ تَحْمِلَ، وَأَنَا أُرِيدُ مَا يُرِيدُ الرِّجَالُ، وَإِنَّ الْيَهُودَ تَحَدَّثُ أَنَّ الْعَزْلَ الْمَوْءُدَةُ الصُّغْرَى، قَالَ: «كَذَبَتِ الْيَهُودُ، لَوْ أَرَادَ اللَّهُ أَنْ يَخْلُقَهُ مَا اسْتَطَعْتَ أَنْ تَصْرِفَهُ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَالنَّسَائِيُّ وَالطَّحَاوِيُّ، وَرِجَالُهُ ثِقَاتٌ.

**879.** Narrated Jâbir رضى الله عنه: In the lifetime of Allâh's Messenger صلى الله عليه وسلم when the Qur'ân was coming down, we used to withdraw the penis, so if it had been something to be forbidden, the Qur'ân would have forbade us from doing it. [Agreed upon].

(٨٧٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نَعْزِلُ عَلَى عَهْدِ رَسُولِ اللهِ ﷺ: وَالْقُرْآنُ يَنْزِلُ، وَلَوْ كَانَ شَيْءٌ يُنْهَى عَنْهُ، لَنَهَانَا عَنْهُ الْقُرْآنُ. مُتَّفَقٌ عَلَيْهِ.

And Muslim has: "The Prophet صلى الله عليه وسلم heard of that and did not forbid from doing it."

وَلِمُسْلِمٍ: فَبَلَغَ ذَلِكَ نَبِيَّ اللهِ ﷺ فَلَمْ يَنْهَنَا عَنْهُ.

**880.** Narrated Anas bin Mâlik رضى الله عنه: The Prophet صلى الله عليه وسلم used to

(٨٨٠) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ

[1] *'Azl* (العزل) means coitus interruptus, i.e. pulling out the penis from vagina at the time of ejaculation of semen for the purpose of birth control. *'Azl* is lawful or unlawful, there are different *Ahâdith* concerning this issue. This is decided that *'Azl* is not unlawful but it is also not preferable. In case of poor health of woman, *'Azl* may be performed to save her from undue botheration.

have intercourse with his wives, with a single bathing.[1] [Agreed upon. The version is of Muslim].

عَنْهُ، أَنَّ النَّبِيَّ ﷺ كَانَ يَطُوفُ عَلَى نِسَائِهِ بِغُسْلٍ وَاحِدٍ. أَخْرَجَاهُ، وَاللَّفْظُ لِمُسْلِمٍ.

## Chapter 3 THE JOINTURE (*MAHR*)

## ٣ - بَابُ الصَّدَاقِ

**881.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم set Safiya[2] رضي الله عنها free and made her freedom her jointure.[3] [Agreed upon].

(٨٨١) عَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، أَنَّهُ أَعْتَقَ صَفِيَّةَ، وَجَعَلَ عِتْقَهَا صَدَاقَهَا. مُتَّفَقٌ عَلَيْهِ.

**882.** Narrated Abû Salama bin 'Abdur-Rahmân[4] (رضي الله عنه): I asked 'Aisha رضي الله عنها, "How much had Allâh's Messenger صلى الله عليه وسلم given as jointure?"[5] She replied, "His jointure to his wives was twelve *Uqiya* and *Nashsh*. She asked, "Do you know what a *An-Nashsh* was?" I replied, "No." She said, "It was half an *Uqiya*; so the total was five hundred Dirhams and that was Allâh's Messenger's صلى الله عليه وسلم jointure to his wives." [Reported by Muslim].

(٨٨٢) وَعَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمٰنِ، أَنَّهُ قَالَ: سَأَلْتُ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، كَمْ كَانَ صَدَاقُ رَسُولِ اللهِ ﷺ؟ قَالَتْ: كَانَ صَدَاقُهُ لِأَزْوَاجِهِ ثِنْتَي عَشْرَةَ أُوقِيَّةً، وَنَشًّا، قَالَتْ: أَتَدْرِي مَا النَّشُّ؟ قَالَ: قُلْتُ: لَا، قَالَتْ: نِصْفُ أُوقِيَّةٍ، فَتِلْكَ خَمْسُمَائَةِ دِرْهَمٍ، فَهٰذَا صَدَاقُ رَسُولِ اللهِ ﷺ لِأَزْوَاجِهِ. رَوَاهُ مُسْلِمٌ.

---

[1] The purpose of mentioning this *Hadith* here is to show that fixation of turns for wives was not obligatory for the Prophet صلى الله عليه وسلم. If it was compulsory for him too, he would have not gone to all his wives in one night.

[2] She is the 'Mother of the Believers' Safiya bint Huyai bin Akhtab, from the descendants of Prophet Harun عليه السلام. She was married to Kinâna bin Abûl-Huqaiq who was killed during the battle of Khaibar. She was captured, then the Prophet صلى الله عليه وسلم chose her and she became a Muslim. He then freed and married her — making her freedom as her jointure. She died in 50 H. and was buried in Al-Baqi'.

[3] It means that non-financial things can also be the jointure and it also clarifies that a master himself can marry his freed slave-girl, and there is no need of a guardian for this marriage.

[4] He is Abû Salama bin 'Abdur-Rahmân bin 'Auf Az-Zuhri Al-Qurashi, one of the seven most famous *Fiqh* scholars in Al-Madîna and also among the eminent *Tabi'in*. He narrated many *Ahadîth* which he heard from a group of the *Sahâba* and also a group of people narrated from him. He died in 74 H. or 104 H. at the age of 70 years.

[5] There is no fixed limit of *Mahr* (jointure) in *Shari'a*, but as much as is lesser is preferred to make the marriage easy for common people.

**883.** Narrated Ibn 'Abbâs رضي الله عنهما: When 'Ali (رضي الله عنه) contracted to marry Fatima رضي الله عنها Allâh's Messenger صلى الله عليه وسلم said to him, "Give her something (as jointure)." He replied, "I have nothing." He said, "Where is your Hutamiya coat of mail?" [Reported by Abû Dâ'ud and An-Nasâ'i; Al-Hâkim graded it *Sahih*].

(٨٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا تَزَوَّجَ عَلِيٌّ فَاطِمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَ لَهُ رَسُولُ اللهِ ﷺ: «أَعْطِهَا شَيْئاً» قَالَ: مَا عِنْدِي شَيْءٌ، قَالَ: «فَأَيْنَ دِرْعُكَ الْحُطَمِيَّةُ؟» رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**884.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: Allâh's Messenger صلى الله عليه وسلم said, "If any woman marries for a jointure, a gift, or a promise before the solemnization of a marriage, it belongs to her;[1] and what is fixed to her after solemnization of a marriage belongs to whom it has been given. The most worthy gift a man is honoured with is what he gets on account of his daughter or sister's marriage." [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi].

(٨٨٤) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَيُّمَا امْرَأَةٍ نَكَحَتْ عَلَى صَدَاقٍ أَوْ حِبَاءٍ أَوْ عِدَةٍ قَبْلَ عِصْمَةِ النِّكَاحِ، فَهُوَ لَهَا، وَمَا كَانَ بَعْدَ عِصْمَةِ النِّكَاحِ، فَهُوَ لِمَنْ أُعْطِيَهُ، وَأَحَقُّ مَا أُكْرِمَ الرَّجُلُ عَلَيْهِ ابْنَتُهُ أَوْ أُخْتُهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ إِلَّا التِّرْمِذِيَّ.

**885.** Narrated 'Alqama[2] on the authority of Ibn Mas'ûd رضي الله عنه: He was asked about a man who had married a woman without fixing any jointure for her and did not have cohabitation with her till he died. Ibn Mas'ûd replied, "She should receive

(٨٨٥) وَعَنْ عَلْقَمَةَ، عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً، وَلَمْ يَفْرِضْ لَهَا صَدَاقاً، وَلَمْ يَدْخُلْ بِهَا، حَتَّى مَاتَ، فَقَالَ ابْنُ مَسْعُودٍ: لَهَا

---

[1] It means that whatever is decided before marriage, it is *Mahr* (jointure) and it belongs to the woman; may be it is in form of money, gold, ornaments, clothes, land or house or anything else, she is the sole owner of that thing. If anything is given to her relatives after the marriage, that will not be considered jointure and it will not belong to her. This is a gift for him to whom it is given. Things decided before the marriage as jointure, and delivered later to her relatives, is jointure and she is the owner of all those things.

[2] He is 'Alqama bin Qais Abû Shibil bin Mâlik from Banu Bakr bin An-Nakha'. He narrated from 'Umar and Ibn Mas'ûd. He was a great *Tabi'i* and was famous for narrating the *Ahadîth* of Ibn Mas'ûd and for accompanying him. He was the uncle of Al-Aswad An-Nakha'i. He died in the year 61 H.

the type of jointure given to women of her community with no diminution or excess,[1] observe the *'Iddah* period and have her a share of the inheritance." Ma'qil bin Sinân Al-Ashja'i[2] then got up and said, "Allâh's Messenger صلى الله عليه وسلم gave the same as your ruling regarding Barwa', daughter of Wâshiq[3], a woman of our tribe," and Ibn Mas'ûd was delighted with it. [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi graded it *Sahih*, but a group of *Hadîth* scholars graded it *Hasan*].

مِثْلُ صَدَاقِ نِسَآئِهَا، لاَ وَكْسَ، وَلاَ شَطَطَ، وَعَلَيْهَا العِدَّةُ، وَلَها الْمِيْرَاثُ، فَقَامَ مَعْقَلُ بْنُ سِنَانٍ الْأَشْجَعِيُّ، فَقَالَ: قَضَى رَسُولُ اللهِ ﷺ فِي بَرْوَعَ بِنْتِ وَاشِقٍ امْرَأَةٍ مِنَّا مِثْلَ مَا قَضَيْتَ، فَفَرِحَ بِهَا ابْنُ مَسْعُودٍ رَضِيَ اللهُ تَعَالَى عَنْهُ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ جَمَاعَةٌ.

**886.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If anyone gives as a jointure to a woman some flour or dates, he has made her lawful for himself." [Abû Dâ'ud reported it, and indicated that it is *Mawqûf*].

(٨٨٦) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ أَعْطَى فِي صَدَاقِ امْرَأَةٍ سَوِيقاً أَوْ تَمْراً فَقَدِ اسْتَحَلَّ». أَخْرَجَهُ أَبُو دَاوُدَ، وَأَشَارَ إِلَى تَرْجِيحِ وَقْفِهِ.

**887.** Narrated 'Abdullâh bin 'Aamir bin Rabi'a[4] on the authority of his father: The Prophet صلى الله عليه وسلم gave his approval of the marriage of a woman for two sandals as a

(٨٨٧) وَعَنْ عَبْدِ اللهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ، عَنْ أَبِيهِ، أَنَّ النَّبِيَّ ﷺ أَجَازَ نِكَاحَ امْرَأَةٍ عَلَى نَعْلَيْنِ: أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ،

[1] If jointure is decided before marriage it is well and good, she will have whatever is decided; but if it is not decided then the jointure will be the same as the jointure of other women of that family. This kind of jointure is called *Mahr Mithl* (peer jointure or proper jointure). If the man divorce a woman before sexual intercourse, then she will get half of the jointure decided before marriage, and if not decided before marriage, she will not get anything. In case of death of the man, woman gets the full jointure whether it be a *Mahr Muqarrar* (fixed jointure) or *Mahr Mithl* (peer jointure). She is also a heir of the property of her late husband.

[2] He is Abû Muhammad Ma'qil bin Sinân Al-Ashja'i. He was a *Sahâbi* who attended the conquest of Makka and settled at Kufa. The people of Kufa narrated his *Ahadîth*, and he was imprisoned and killed on the day of Al-Harra.

[3] Barwa', daughter of Wâshiq was a *Sahâbiya*..

[4] He is Abû 'Imrân 'Abdullâh bin 'Aamir bin Rabi'a Al-'Anzi. He was four or five years old when the Prophet صلى الله عليه وسلم died and he died in the year 85 H. or 90 H.

jointure.[1] [At-Tirmidhi reported it and graded it *Sahih*, but he was disagreed with upon that].

وَخُولِفَ فِي ذٰلِكَ.

**888.** Narrated Sahl bin Sa'd رضی الله عنه: The Prophet صلی الله علیه وسلم married a man to a woman for a jointure of an iron ring.[2] [Al-Hâkim reported it, it is a portion of the long *Hadîth* preceding in the very beginning of the Book of Marriage].

(٨٨٨) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: زَوَّجَ النَّبِيُّ ﷺ رَجُلاً امْرَأَةً بِخَاتَمٍ مِنْ حَدِيدٍ. أَخْرَجَهُ الحَاكِمُ، وَهُوَ طَرَفٌ مِنَ الْحَدِيثِ الطَّوِيلِ الْمُتَقَدِّمِ فِي أَوَائِلِ النِّكَاحِ.

**889.** Narrated 'Ali رضی الله عنه: Jointure should not be less than ten Dirhams. [Ad-Dâraqutni reported it as *Mawqûf*, there is some defect in its chain of narrators].

(٨٨٩) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لاَ يَكُونُ الْمَهْرُ أَقَلَّ مِنْ عَشَرَةِ دَرَاهِمَ. أَخْرَجَهُ الدَّارَقُطْنِيُّ مَوْقُوفاً، وَفِي سَنَدِهِ مَقَالٌ.

**890.** Narrated 'Uqba bin 'Aamir رضی الله عنه: Allâh's Messenger صلی الله علیه وسلم said, "The best jointure is that which is most easy." [Abû Dâ'ud reported it and Al-Hâkim graded it *Sahih*].

(٨٩٠) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**خَيْرُ الصَّدَاقِ أَيْسَرُهُ**». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**891.** Narrated 'Aisha رضی الله عنها: 'Amra رضی الله عنها daughter of Al-Jaun[3] sought refuge (in Allâh) from Allâh's Messenger صلی الله علیه وسلم when she was brought in to him - meaning when he married her - and he said, "You have sought refuge in the One Worthy of seeking refuge in,"[4] and divorced

(٨٩١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ عَمْرَةَ بِنْتَ الْجَوْنِ تَعَوَّذَتْ مِنْ رَسُولِ اللهِ ﷺ، حِينَ أُدْخِلَتْ عَلَيْهِ، تَعْنِي لَمَّا تَزَوَّجَهَا، فَقَالَ: «لَقَدْ عُذْتِ بِمَعَاذٍ، **فَطَلَّقَهَا وَأَمَرَ أُسَامَةَ فَمَتَّعَهَا بِثَلاَثَةِ أَثْوَابٍ**». أَخْرَجَهُ ابْنُ

[1] It means anything can be a jointure, if it has some value.

[2] This piece of narration is from the *Hadîth* in which a woman presented her person to the Prophet صلی الله علیه وسلم as a gift. Though she was not married for an iron ring but the Prophet صلی الله علیه وسلم accepted the iron ring to be given as her jointure, and this is main purpose of relating this *Hadîth* at this place.

[3] 'Amra daughter of Al-Jaun's real name was disagreed upon for some said her name was Asmâ' daughter of An-Nu'mân bin Abûl Jaun bin Al-Hârith Al-Kindiya. While the most likely name was Umaima, daughter of An-Nu'mân bin Sharâhil.

[4] This *Hadîth* is mentioned here to show that the Prophet صلی الله علیه وسلم did not fix the jointure of that woman and before having sexual relations with her divorced and gave her three

her, and he commanded Usâma who gave her three garments as present (i.e. her jointure). [Ibn Mâjah reported it, but there is an unreliable narrator in its chain of narrators]. The origin of the aforesaid story is found in the *Sahih* of Al-Bukhâri from Abû Usaid As-Sâ'idi's[1] *Hadîth*.

مَاجَهْ، وَفِي إِسْنَادِهِ رَاوٍ مَتْرُوكٌ، وَأَصْلُ الْقِصَّةِ فِي الصَّحِيحِ مِنْ حَدِيثِ أَبِي أُسَيْدٍ السَّاعِدِيِّ.

## Chapter 4 *AL-WALIMA*[2] (THE WEDDING FEAST)

## ٤ - بَابُ الْوَلِيمَةِ

**892.** Narrated Anas bin Mâlik رضي الله عنه: The Prophet صلى الله عليه وسلم saw the trace of yellow colour on 'Abdur-Rahmân bin 'Auf (رضي الله عنه) and asked, "What is this?" He replied, "O Messenger of Allâh, I have married a woman for a *Nawât* weight (equal to the weight of a date-stone) of gold." He said, "May Allâh bless you! Hold a wedding feast,[3] even if with a goat (only)." [Agreed upon; the version is of Muslim].

(٨٩٢) عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ رَأَى عَلَى عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ أَثَرَ صُفْرَةٍ، فقال: «ما هذا؟» قَالَ: يَا رَسُولَ اللهِ! إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزْنِ نَوَاةٍ مِنْ ذَهَبٍ، قَالَ: «فَبَارَكَ اللَّهُ لَكَ، أَوْلِمْ وَلَوْ بِشَاةٍ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**893.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When one of you is invited to a wedding feast he should attend it."[4]

(٨٩٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قال: قَالَ رَسُولُ اللهِ ﷺ: «إِذا

pieces of clothes. It means that if the jointure is not decided and the woman is divorced before sexual intercourse, she must be given three clothes at least. Maximum she can be given a slave or a slave-girl. This is called *Mut'atut-Talâq*.

[1] Abû Usaid was called Mâlik bin Rabi'a bin Al-Badn. He witnessed Badr and other battles and died in 30 H at Madâini. It was also said that he died in 60 H. and was the last to die among those who participated in the battle of Badr.

[2] *Walîma* (الوليمة) is a meal which is eaten on the union of husband and wife. Later on the food for every happy occasion was named a *Walîma*.

[3] According to some scholars, wedding feast is obligatory but to the majority it is *Sunna*. There is a difference of opinion about the time of wedding feast. It is considered better to give wedding feast when the sexual relations are accomplished.

[4] Refusing an invitation of wedding feast is disobedience of the Prophet صلى الله عليه وسلم as given in this *Hadîth*.

[Agreed upon]. Muslim has: "When one of you is invited by his brother he should accept, whether it is a wedding feast or something of that nature."

دُعِيَ أَحَدُكُمْ إِلَى الْوَلِيمَةِ فَلْيَأْتِهَا». مُتَّفَقٌ عَلَيْهِ. وَلِمُسْلِمٍ: «إِذَا دَعَا أَحَدُكُمْ أَخَاهُ فَلْيُجِبْ»، عُرْساً كَانَ أَوْ نَحْوَهُ.

**894.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The worst kind of food[1] is that at a wedding feast from which those who come (i.e. the poor) are turned away and to which those who refuse to come (i.e. the rich) are invited. If anyone does not accept an invitation he has disobeyed Allâh and His Messenger." [Reported by Muslim].

(٨٩٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «شَرُّ الطَّعَامِ طَعَامُ الْوَلِيمَةِ يُمْنَعُهَا مَنْ يَأْتِيهَا، وَيُدْعَى إِلَيْهَا مَنْ يَأْبَاهَا، وَمَنْ لَمْ يُجِبِ الدَّعْوَةَ فَقَدْ عَصَى اللَّهَ وَرَسُولَهُ». أَخْرَجَهُ مُسْلِمٌ.

**895.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you is invited (to a meal) he should accept. If he is fasting he should pray (i.e. make supplication for the inviter) and if he is not fasting he should eat."

(٨٩٥) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا دُعِيَ أَحَدُكُمْ فَلْيُجِبْ، فَإِنْ كَانَ صَائِماً فَلْيُصَلِّ، وَإِنْ كَانَ مُفْطِراً فَلْيَطْعَمْ». أَخْرَجَهُ مُسْلِمٌ أَيْضاً.

[Muslim reported it too]. Muslim has something similar to above from Jâbir رضي الله عنه, it goes: "If he wishes he may eat, but if he wishes he may leave the food alone."

وَلَهُ مِنْ حَدِيثِ جَابِرٍ نَحْوُهُ، وَقَالَ: «فَإِنْ شَاءَ طَعِمَ، وَإِنْ شَاءَ تَرَكَ».

**896.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The food on the first day is a duty, that on the second day is a *Sunna,* the third day is a show-off, and if anyone makes a show-off of what he does, Allâh will disclose him (in the Hereafter)."[2] [Reported by At-Tirmidhi who considered it *Gharib*, but its transmitters are those who are

(٨٩٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «طَعَامُ الْوَلِيمَةِ أَوَّلَ يَوْمٍ حَقٌّ، وَطَعَامُ يَوْمِ الثَّانِي سُنَّةٌ، وَطَعَامُ يَوْمِ الثَّالِثِ سُمْعَةٌ، وَمَنْ سَمَّعَ سَمَّعَ اللَّهُ بِهِ». رَوَاهُ التِّرْمِذِيُّ، وَاسْتَغْرَبَهُ، وَرِجَالُهُ رِجَالُ الصَّحِيحِ، وَلَهُ شَاهِدٌ عَنْ أَنَسٍ عِنْدَ ابْنِ مَاجَهْ.

[1] It means that along with relatives and friends poor and needy should be invited for *Walîma* food.

[2] Who invites the people for show and brag, Allâh will disgrace him before all His creation on the Day of Judgement.

considered reliable in Al-Bukhâri's *Sahih*]. The aforesaid *Hadîth* has an authority from Anas (رضى الله عنه) by Ibn Mâjah.

**897.** Narrated Safiya رضى الله عنها, daughter of Shaiba[1]: The Prophet صلى الله عليه وسلم held a wedding feast for one of his wives with two *Mudd* of barley. [Reported by Al-Bukhâri].

(٨٩٧) وَعَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ قَالَتْ: أَوْلَمَ النَّبِيُّ ﷺ عَلَى بَعْضِ نِسَآئِهِ بِمُدَّيْنِ مِنْ شَعِيرٍ. أَخْرَجَهُ الْبُخَارِيُّ.

**898.** Narrated Anas (رضى الله عنه): The Prophet صلى الله عليه وسلم stayed three nights between Khaibar and Al-Madîna when he took up cohabitation with Safiya (رضى الله عنها), and I called the Muslims to his wedding feast which included no bread or meat. He just ordered some cloths to be spread, and dates, dried curd (cheese) and ghee were thrown on them. [Agreed upon; the version is of Al-Bukhâri].

(٨٩٨) وَعَنْ أَنَسٍ قَالَ: أَقَامَ النَّبِيُّ ﷺ بَيْنَ خَيْبَرَ وَالْمَدِينَةِ ثَلاَثَ لَيَالٍ، يُبْنَى عَلَيْهِ بِصَفِيَّةَ، فَدَعَوتُ الْمُسْلِمِينَ إِلَى وَلِيمَتِهِ، فَمَا كَانَ فِيهَا مِنْ خُبْزٍ وَلاَ لَحْمٍ، وَمَا كَانَ فِيهَا إِلاَّ أَنْ أَمَرَ بِالأَنْطَاعِ فَبُسِطَتْ، فَأَلْقَى عَلَيْهَا التَّمْرَ وَالأَقِطَ وَالسَّمْنَ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**899.** Narrated a Companion of the Prophet صلى الله عليه وسلم: "When two people come together to issue an invitation, accept that of the one who lives nearer to you, but if one of them comes before the other accept the invitation of the first."[2] [Reported by Abû Dâ'ud, its chain of narrators is weak].

(٨٩٩) وَعَنْ رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ، قَالَ: إِذَا اجْتَمَعَ دَاعِيَانِ فَأَجِبْ أَقْرَبَهُمَا بَاباً، فَإِنْ سَبَقَ أَحَدُهُمَا فَأَجِبِ الَّذِي سَبَقَ. رَوَاهُ أَبُو دَاوُدَ، وَسَنَدُهُ ضَعِيفٌ.

**900.** Narrated Abû Juhaifa رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "I do not eat sitting straight (on the buttocks)." [Reported by Al-Bukhâri].

(٩٠٠) وَعَنْ أَبِي جُحَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ آكُلُ مُتَّكِئاً». رَوَاهُ الْبُخَارِيُّ.

[1] She is Safiya, daughter of Shaiba bin 'Uthmân bin Abû Talha Al-Hijji of Banu 'Abdud-Dâr. It is said that she saw the Prophet صلى الله عليه وسلم and also she never saw him. Ibn Sa'd confirmed that she was a *Tabi'iya*.

[2] If there are two invitations for *Walîma*, the first one should be accepted and if both are simultaneous then nearer should be preferred. Some take the meaning of near as near in kinship, and to others it means who's house is near. There is a *Hadîth* in *Sahih Al-Bukhâri* which tells whose door is near.

**901.** Narrated 'Umar bin Abû Salama[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said to me, "O boy, mention Allâh's Name, eat with your right hand, and eat from what is next to you." [Agreed upon].

(٩٠١) وَعَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «يَا غُلَامُ سَمِّ اللَّهَ، وَكُلْ بِيَمِينِكَ، وَكُلْ مِمَّا يَلِيكَ». مُتَّفَقٌ عَلَيْهِ.

**902.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم was brought a dish containing *Tharid* and said, "Eat from its sides and not from the middle, for the blessing descends in the middle of it." [Reported by *Al-Arba'a*. This is the version of An-Nasâ'i and its chain of narrators is sound].

(٩٠٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أُتِيَ بِقَصْعَةٍ مِنْ ثَرِيدٍ، فَقَالَ: «كُلُوا مِنْ جَوَانِبِهَا، وَلَا تَأْكُلُوا مِنْ وَسَطِهَا، فَإِنَّ الْبَرَكَةَ تَنْزِلُ فِي وَسَطِهَا». رَوَاهُ الْأَرْبَعَةُ، وَهٰذَا لَفْظُ النَّسَائِيِّ، وَسَنَدُهُ صَحِيحٌ.

**903.** Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Do not eat with the left hand, for the devil eats with the left hand." [Reported by Muslim].

(٩٠٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَأْكُلُوا بِالشِّمَالِ فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِالشِّمَالِ». رَوَاهُ مُسْلِمٌ.

**904.** Narrated Abû Qatâda رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When one of you drinks, he must not breathe into the vessel."[2] [Agreed upon]. Abû Dâ'ud reported something similar from Ibn 'Abbâs (رضي الله عنهما) and he added: "or blow into it," [At-Tirmidhi graded it *Sahih*].

(٩٠٤) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ قَالَ: «إِذَا شَرِبَ أَحَدُكُمْ فَلَا يَتَنَفَّسْ فِي الْإِنَاءِ». مُتَّفَقٌ عَلَيْهِ، وَلِأَبِي دَاوُدَ عَنِ ابْنِ عَبَّاسٍ نَحْوُهُ، وَزَادَ: «أَوْ يَنْفُخْ فِيهِ» وَصَحَّحَهُ التِّرْمِذِيُّ.

---

[1] He is 'Umar bin Abû Salama 'Abdullâh bin 'Abdul-Asad bin Hilal Al-Makhzumi, the son of *Umm-ul-Mu'minin* Umm Salama رضي الله عنها and the stepson of the Prophet صلى الله عليه وسلم. He was born in Abyssinia (Ethiopia) between the time of the migration to Abyssinia and the migration to Al-Madîna. He died in Al-Madîna in 83 H.

[2] It means that while drinking, one should not breathe in utensil as it is a cause of transmitting the germs from breath into water, and with water to the stomach, making a risk for the health.

## Chapter 5
## DIVISION OF VISITS TO ONE'S WIVES

## ٥ - بَابُ الْقَسْمِ

**905.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم used to divide visits to his wives equally and say, "O Allâh, this is my division[1] concerning what I possess, so do not blame me concerning what You possess and I do not." [Reported by *Al-Arba'a*; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound), but At-Tirmidhi preponderated that it is *Mursal*].

(٩٠٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ يَقْسِمُ لِنِسَائِهِ، فَيَعْدِلُ، وَيَقُولُ: «اللَّهُمَّ هَذَا قَسْمِي فِيمَا أَمْلِكُ، فَلَا تَلُمْنِي فِيمَا تَمْلِكُ، وَلَا أَمْلِكُ». رَوَاهُ الْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ، لَكِنْ رَجَّحَ التِّرْمِذِيُّ إِرْسَالَهُ.

**906.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Anyone who has two wives and inclines to one of them[2] will come on the Day of Resurrection with a side (of his body) inclining." [Reported by Ahmad and *Al-Arba'a*; its chain of narrators is *Sahih* (sound)].

(٩٠٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ كَانَتْ لَهُ امْرَأَتَانِ فَمَالَ إِلَى إِحْدَاهُمَا جَاءَ يَوْمَ الْقِيَامَةِ وَشِقُّهُ مَائِلٌ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَسَنَدُهُ صَحِيحٌ.

**907.** Narrated Anas رضي الله عنه: It pertains to the *Sunna* that when a man who has a wife marries a virgin, he should spend with her seven nights and then divide the time between them, but if he marries a formerly married woman he should spend with her three nights and then divide the

(٩٠٧) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: «مِنَ السُّنَّةِ إِذَا تَزَوَّجَ الرَّجُلُ الْبِكْرَ عَلَى الثَّيِّبِ، أَقَامَ عِنْدَهَا سَبْعاً، ثُمَّ قَسَمَ، وَإِذَا تَزَوَّجَ الثَّيِّبَ، أَقَامَ عِنْدَهَا ثَلَاثاً، ثُمَّ قَسَمَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

[1] It was not essential for the Prophet صلى الله عليه وسلم to go to his wives by turn, and though he had more love for 'Aisha رضي الله عنها in his heart, even then he did justice with his wives, and always asked Allâh's forgiveness for this.

[2] In this context, justice means maintenance allowance, other necessities and night stay. All these are optional, and in one's power to do or not to do, so these are accountable for justice. Having love for someone in heart is not a sin, if it is not a hindrance in doing justice.

time between his wives. [Agreed upon; the wording is of Al-Bukhâri].

**908.** Narrated Umm Salama رضي الله عنها: When the Prophet صلى الله عليه وسلم married her he stayed with her for three nights and said, "You are not being humbled in my estimation. If you wish I shall stay with you for seven nights, and if I stay with you for seven nights I shall do so with my other wives." [Reported by Muslim].

(٩٠٨) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ لَمَّا تَزَوَّجَهَا، أَقَامَ عِنْدَهَا ثَلَاثاً، وَقَالَ: «**إِنَّهُ لَيْسَ بِكِ عَلَى أَهْلِكِ هَوَانٌ، إِنْ شِئْتِ سَبَّعْتُ لَكِ، وَإِنْ سَبَّعْتُ لَكِ سَبَّعْتُ لِنِسَائِي**». رَوَاهُ مُسْلِمٌ.

**909.** Narrated 'Aisha رضي الله عنها: Sauda (رضي الله عنها) daughter of Zam'a gave away[1] her day to 'Aisha (رضي الله عنها). So the Prophet صلى الله عليه وسلم allotted a share to 'Aisha (رضي الله عنها) of her day and Sauda's. [Agreed upon].

(٩٠٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ سَوْدَةَ بِنْتَ زَمْعَةَ وَهَبَتْ يَوْمَهَا لِعَائِشَةَ، وَكَانَ النَّبِيُّ ﷺ يَقْسِمُ لِعَائِشَةَ يَوْمَهَا وَيَوْمَ سَوْدَةَ. مُتَّفَقٌ عَلَيْهِ.

**910.** Narrated 'Urwa (رضي الله عنه): 'Aisha رضي الله عنها said, "O My nephew, Allâh's Messenger صلى الله عليه وسلم would not prefer some of us to the others regarding the division of the time he would spend with us. It was very rare that he would not visit us all and come near each of his wives without having intercourse with her till he visited the one whose day[2] it was, and spent the night with her." [Reported by Ahmad and Abû Dâ'ud, the wording is of Abû Dâ'uḍ; Al-Hâkim graded it *Sahih* (sound)].

(٩١٠) وَعَنْ عُرْوَةَ قَالَ: قَالَتْ عَائِشَةُ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: يَا ابْنَ أُخْتِي كَانَ رَسُولُ اللهِ ﷺ لَا يُفَضِّلُ بَعْضَنَا عَلَى بَعْضٍ فِي الْقَسْمِ، مِنْ مُكْثِهِ عِنْدَنَا وَكَانَ قَلَّ يَوْمٌ إِلَّا وَهُوَ يَطُوفُ عَلَيْنَا جَمِيعاً، فَيَدْنُو مِنْ كُلِّ امْرَأَةٍ، مِنْ غَيْرِ مَسِيسٍ، حَتَّى يَبْلُغَ الَّتِي هُوَ يَوْمُهَا، فَيَبِيتُ عِنْدَهَا. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَصَحَّحَهُ الْحَاكِمُ.

Muslim reported 'Aisha رضي الله عنها as saying: "When Allâh's Messenger صلى الله

وَلِمُسْلِمٍ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى

[1] It means that if a woman makes a voluntary decrease in her maintenance allowance or in her turn (for night stay), it is lawful and man is not accused for it. However, she reserves the right to reclaim her right at anytime.

[2] Here turn means only night stay, otherwise one can talk to other wives and allowed to go to their houses.

عليه وسلم offered the *'Asr* (afternoon) prayer, he would visit his wives in turn, then come closer to them." [The narrator reported the rest of the *Hadîth*].

عَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا صَلَّى الْعَصْرَ دَارَ عَلَى نِسَائِهِ، ثُمَّ يَدْنُو مِنْهُنَّ. الْحَدِيثَ.

**911.** Narrated 'Aisha رضي الله عنها: During the illness of which Allâh's Messenger صلى الله عليه وسلم died, he was asking, "Where shall I be tomorrow?"[1] Meaning 'Aisha's day. His wives therefore permitted him to stay where he wished, and he stayed in 'Aisha's house. [Agreed upon].

(٩١١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ كَانَ يَسْأَلُ فِي مَرَضِهِ الَّذِي مَاتَ فِيهِ: **أَيْنَ أَنَا غَداً؟** يُرِيدُ يَوْمَ عَائِشَةَ، فَأَذِنَ لَهُ أَزْوَاجُهُ، يَكُونُ حَيْثُ شَاءَ، فَكَانَ فِي بَيْتِ عَائِشَةَ. مُتَّفَقٌ عَلَيْهِ.

**912.** Narrated ('Aisha) رضي الله عنها: When Allâh's Messenger صلى الله عليه وسلم intended to go on a journey, he cast lots among his wives and took with him the one who was chosen by the lot.[2] [Agreed upon].

(٩١٢) وَعَنْهَا قَالَتْ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَرَادَ سَفَراً أَقْرَعَ بَيْنَ نِسَائِهِ، فَأَيَّتُهُنَّ خَرَجَ سَهْمُهَا، خَرَجَ بِهَا مَعَهُ. مُتَّفَقٌ عَلَيْهِ.

**913.** Narrated 'Abdullâh bin Zam'a[3] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "None of you should slash his wife like the slashing of a slave."[4] [Reported by Al-Bukhâri].

(٩١٣) وَعَنْ عَبْدِ اللهِ بْنِ زَمْعَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَجْلِدْ أَحَدُكُمُ امْرَأَتَهُ جَلْدَ الْعَبْدِ**». رَوَاهُ الْبُخَارِيُّ.

---

[1] It means that during illness, mere intention of permanent stay with one of the wives is not an offense. It also means that with the permission of other wives, one can stay with one of them. The illness of the Prophet صلى الله عليه وسلم began at the house of Maimuna رضي الله عنها.

[2] Draw was to avoid the vice with others. Whose name came up in the draw, she was to accompany the Prophet صلى الله عليه وسلم in the journey. The days spent in journey were not accounted for in turns. Wives are also allowed to agree on one without draw.

[3] He is 'Abdullâh bin Zam'a bin Al-Aswad bin 'Abdul-Muttalib bin Asad bin 'Abdul-'Uzza Al-Asadi, the brother of *Umm-ul-Mu'minin* Sauda bint Zam'a رضي الله عنها. He was a famous *Sahâbi* considered to be among the residents of Al-Madina. He was martyred during the day of Ad-Dâr.

[4] In *Ahâdith* it is strictly forbidden to beat the woman except for one violation, and that is to have sexual relations with others. It is not allowed to hit her on face or so severely that would break a bone, otherwise one will have to bear the penalty.

## Chapter 6
## *AL-KHUL'*[1]
## (SEPARATING FROM A WIFE FOR A COMPENSATION)

## ٦ - بَابُ الْخُلْعِ

**914.** Narrated Ibn 'Abbâs رضي الله عنهما: The wife of Thâbit bin Qais[2] came to the Prophet صلى الله عليه وسلم and said, "O Allâh's Messenger, I do not find fault with Thâbit bin Qais (رضي الله عنه) in respect of character or religion, but I hate to be guilty of husband's disobedience in Islâm." Allâh's Messenger صلى الله عليه وسلم asked her, "Will you give him back his garden?" And she replied, "Yes," so Allâh's Messenger صلى الله عليه وسلم said to him, "Accept the garden and give her one divorce." [Reported by Al-Bukhâri,] and a version by him has: "He commanded him to divorce her."

(٩١٤) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ امْرَأَةَ ثَابِتِ بْنِ قَيْسٍ أَتَتِ النَّبِيَّ ﷺ، فَقَالَتْ: يَا رَسُولَ اللهِ! ثَابِتُ بْنُ قَيْسٍ مَا أَعِيبُ عَلَيْهِ فِي خُلُقٍ وَلاَ دِينٍ، وَلٰكِنِّي أَكْرَهُ الْكُفْرَ فِي الإِسْلاَمِ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَتَرُدِّينَ عَلَيْهِ حَدِيقَتَهُ؟» فَقَالَتْ: نَعَمْ، فَقَالَ رَسُولُ اللهِ ﷺ: «اقْبَلِ الْحَدِيقَةَ وَطَلِّقْهَا تَطْلِيقَةً». رَوَاهُ الْبُخَارِيُّ. وَفِي رِوَايَةٍ لَهُ: «وَأَمَرَهُ بِطَلاَقِهَا».

Abû Dâ'ud and At-Tirmidhi reported this *Hadîth* and the later graded it *Hasan*: "The wife of Thâbit bin Qais got a divorce from him in return for a compensation, and the

وِلأَبِي دَاوُدَ وَالتِّرْمِذِيِّ - وَحَسَّنَهُ -: أَنَّ امْرَأَةَ ثَابِتِ بْنِ قَيْسٍ اخْتَلَعَتْ مِنْهُ، فَجَعَلَ النَّبِيُّ ﷺ عِدَّتَهَا حَيْضَةً.

[1] *Khul'* (الخلع) means to take off the clothes or to take out. According to *Shari'a* terminology *Khul'* means woman's right of cancellation of her marriage. She has the right to cancel her marriage after returning the jointure (*Mahr*). Man can divorce if he has a genuine objection, similarly, after returning the jointure, a woman can also have *Khul'* if she has a genuine excuse. According to some scholars, *Khul'* is divorce and to some *Khul'* is cancellation of marriage. There is a difference of opinion in getting more than the final jointure, but it looks reasonable to get back only that amount which was fixed as jointure and making no demand for more.

[2] Thâbit bin Qais Al-Ansâri Al-Khazraji was among the elder *Sahâba* and was the spokesman of *Al-Ansâr* and Allâh's Messenger صلى الله عليه وسلم. He witnessed Uhud and the battles that followed it. The Prophet صلى الله عليه وسلم confirmed that he will enter the *Janna* and he was martyred during the battle of Al-Yamama in 12 H.

Prophet صلى الله عليه وسلم made her *'Iddah* period one menstruation course."

Ibn Mâjah reported from the version of 'Amr bin Shu'aib on his father's authority from his grandfather: "Thâbit bin Qais was ugly and his wife said, 'Were it not Allâh's fear, when he entered my presence I would spit on his face.' "

وَفِي رِوَايَةِ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ. عِنْدَ ابْنِ مَاجَهْ: أَنَّ ثَابِتَ بْنَ قَيْسٍ كَانَ دَمِيماً، وَأَنَّ امْرَأَتَهُ قَالَتْ: لَوْلَا مَخَافَةُ اللهِ إِذَا دَخَلَ عَلَيَّ لَبَصَقْتُ فِي وَجْهِهِ.

Ahmad reported from Sahl bin Abû Hathma's *Hadîth* that it was the first ever husband and wife separation for a compensation in Islâm.

وَلِأَحْمَدَ مِنْ حَدِيثِ سَهْلِ بْنِ أَبِي حَثْمَةَ: «وَكَانَ ذَلِكَ أَوَّلَ خُلْعٍ فِي الْإِسْلَامِ».

## Chapter 7
## *AT-TALÂQ* (DIVORCE)

## ٧ - بَابُ الطَّلَاقِ

**915.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The lawful thing which Allâh hates most is divorce."[1] [Reported by Abû Dâ'ud and Ibn Mâjah, Al-Hâkim graded it *Sahih* (sound); Abû Hâtim preponderated that it is *Mursal*].

(٩١٥) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«أَبْغَضُ الْحَلَالِ إِلَى اللهِ الطَّلَاقُ»**. رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ، وَرَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ.

**916.** Narrated Ibn 'Umar رضي الله عنهما: In the time of Allâh's Messenger صلى الله عليه وسلم, he divorced his wife while she was menstruating, so 'Umar asked Allâh's Messenger صلى الله عليه وسلم about that and he replied, "Command him to take her back and keep her till she is purified, then has another period, then is purified. If he then wishes he may keep her and if he wishes he may

(٩١٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ طَلَّقَ امْرَأَتَهُ، وَهِيَ حَائِضٌ، فِي عَهْدِ رَسُولِ اللهِ ﷺ، فَسَأَلَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ رَسُولَ اللهِ ﷺ عَنْ ذَلِكَ، فَقَالَ: **«مُرْهُ، فَلْيُرَاجِعْهَا، ثُمَّ لِيُمْسِكْهَا حَتَّى تَطْهُرَ، ثُمَّ تَحِيضَ، ثُمَّ تَطْهُرَ، ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ، وَإِنْ شَاءَ طَلَّقَ قَبْلَ أَنْ يَمَسَّ،**

[1] This *Hadîth* tells many points and makes them clear. That all *Halâl* (legal and lawful) things are not dear to Allâh, there are some legal things which are though legal but not liked by Allâh. The divorce is among legal things which are *Halâl* but it is not good. This is *Halâl* because sometimes the situation is so complicated that man is compelled to divorce. In such situation, it is reasonable when there is no way out. Divorce is bad, because it is a cause of enmity and also a cause of Satan's delight. *Talâq* (divorce) means to set free and according to *Shari'a*, *Talâq* is to free the woman from the bond of marriage.

فَتِلْكَ العِدَّةُ الَّتِي أَمَرَ اللَّهُ أَنْ تُطَلَّقَ لَهَا النِّسَاءُ». مُتَّفَقٌ عَلَيْهِ.

divorce her before having intercourse with her, for that is the *'Iddah* (period of waiting) which Allâh commanded for the divorce of women."[1] [Agreed upon].

وَفِي رِوَايَةٍ لِمُسْلِمٍ: «مُرْهُ فَلْيُرَاجِعْهَا، ثُمَّ لِيُطَلِّقْهَا طَاهِراً أَوْ حَامِلاً».

A version by Muslim has: "Command him to take her back, then divorce her when she is pure from the menstrual discharge, or pregnant."

وَفِي رِوَايَةٍ أُخْرَى لِلْبُخَارِيِّ: «وَحُسِبَتْ عَلَيْهِ تَطْلِيقَةً».

Another version by Al-Bukhâri has: "It was regarded as one divorce."

وَفِي رِوَايَةٍ لِمُسْلِمٍ: قَالَ ابْنُ عُمَرَ: أَمَّا أَنْتَ طَلَّقْتَهَا وَاحِدَةً أَوِ اثْنَتَيْنِ فَإِنَّ رَسُولَ اللهِ ﷺ أَمَرَنِي أَنْ أُرَاجِعَهَا، ثُمَّ أُمْسِكَهَا حَتَّى تَحِيضَ حيضة أُخْرَى، ثُمَّ أُمْهِلَهَا حَتَّى تَطْهُرَ، ثُمَّ أُطَلِّقَهَا قَبْلَ أَنْ أَمَسَّهَا، وَأَمَّا أَنْتَ طَلَّقْتَهَا ثَلاثاً، فَقَدْ عَصَيْتَ رَبَّكَ فِيمَا أَمَرَكَ بِهِ مِنْ طَلَاقِ امْرَأَتِكَ.

A version by Muslim has: "Ibn 'Umar (رضي الله عنهما) said, 'But you have made one or two pronouncements of divorce, whereas Allâh's Messenger صلى الله عليه وسلم has commanded me to take her back, then keep her till she has another period, then give her a reprieve till she is purified, then divorce her before having inter-course with her; but you divorced her with three pronouncements (at once) you have therefore disobeyed your *Rabb* concerning what He commanded you regarding the divorce of your wife.' "

[1] This *Hadîth* also clears many points: 1) It is prohibited to divorce during menstruation period. 2) Without the consent of woman, man can withdraw his decision. 3) It is heresy to divorce a woman in the state of *Tuhr* (period of purification after menses) in which sexual intercourse is carried out, as it is a heresy to divorce during menses. There are four kinds of divorce, out of which two are lawful and two are unlawful: To divorce during pregnancy or in the state of *Tuhr* in which sexual intercourse is not carried out are lawful, and to divorce during menses and in the *Tuhr* in which sexual intercourse is carried out are unlawful. From another point of view there are three kinds of divorce: These are: (i) *Ahsan*, (ii) *Hasan* and (iii) *Bid'a*. *Ahsan* is to divorce once during pregnancy or *Tuhr* period and let the *'Iddah* pass away. (*'Iddah* is a prescribed period of three months for a divorced woman in which she waits and can't marry another man). *Hasan* is to divorce thrice in three *Tuhr*. Up to two divorces or two *Tuhr*, one can have the revocation of divorce, but after third divorce he can neither revoke the divorce nor he can remarry her without her marriage to someone else and being divorced again or becoming a widow. *Bid'a* is to divorce twice or thrice at a time and at the same place. Most of the scholars are of the opinion that divorce given during the menses will be counted, though in this case revoking it, is obligatory.

Another version has: "Abdullâh bin 'Umar (رضي الله عنهما) said, 'So he restored her to me and regarded it nothing and said: When she is purified, either divorce her or keep her.' "

وَفِيْ رِوَايَةٍ أُخْرَى: قَالَ عَبْدُاللهِ بْنُ عُمَرَ: فَرَدَّهَا عَلَيَّ، وَلَمْ يَرَهَا شَيْئاً، وَقَالَ: إِذَا طَهُرَتْ فَلْيُطَلِّقْ، أَوْ لِيُمْسِكْ.

**917.** Narrated Ibn 'Abbâs رضي الله عنهما: In the time of Allâh's Messenger صلى الله عليه وسلم, Abû Bakr (رضي الله عنه) and the first two years of the caliphate of 'Umar, the three pronouncements of divorce were regarded as one divorce.[1] So 'Umar said, "People have made haste in an affair they used to practise with patience, so supposing we execute it on them", so he executed it on them. [Reported by Muslim].

(٩١٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمَا، قَالَ: كَانَ الطَّلَاقُ عَلَى عَهْدِ رَسُولِ اللّٰهِ ﷺ، وَأَبِي بَكْرٍ، وَسَنَتَيْنِ مِنْ خِلَافَةِ عُمَرَ، طَلَاقُ الثَّلَاثِ وَاحِدَةً، فَقَالَ عُمَرُ: إِنَّ النَّاسَ قَدِ اسْتَعْجَلُوْا فِي أَمْرٍ كَانَتْ لَهُمْ فِيهِ أَنَاةٌ، فَلَوْ أَمْضَيْنَاهُ عَلَيْهِمْ. فَأَمْضَاهُ عَلَيْهِمْ. رَوَاهُ مُسْلِمٌ.

**918.** Narrated Mahmûd bin Labid[2] رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم was informed about a man who had divorced his wife with all the three pronouncements (without any interval between them), he raised in anger and said, "Is sport being made

(٩١٨) وَعَنْ مَحْمُودِ بْنِ لَبِيدٍ رَضِيَ اللّٰهُ تَعَالَى عَنْهُ، قَالَ: أُخْبِرَ رَسُولُ اللّٰهِ ﷺ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلَاثَ تَطْلِيقَاتٍ جَمِيعاً، فَقَامَ غَضْبَانَ، ثُمَّ قَالَ: أَيُلْعَبُ بِكِتَابِ اللّٰهِ، وَأَنَا بَيْنَ أَظْهُرِكُمْ؟ حَتَّى قَامَ رَجُلٌ، فَقَالَ: يَا

[1] What is the legal status of three divorces given together at a time? There is difference of opinion on this issue among the scholars. 1) First opinion is that three divorces given together at a time are nothing and have no legal status at all. 2) Second opinion is that three divorces given together at a time befall and the woman is divorced. 3) Third opinion is that this is only one divorce. 4) Fourth opinion is that if the woman has carried out the sexual intercourse, then three will befall, and if she has not carried out sexual intercourse, then only one will happen. Among these different views the third is more stronger and logical, the same was customary in the time of the Prophet صلى الله عليه وسلم, therefore, Abu Rukâna was ordered by the Prophet صلى الله عليه وسلم to return his wife after giving three divorces together, if the three divorces had befallen, the Prophet صلى الله عليه وسلم would not have ordered him to return his wife. This mode of divorce is also logically understandable. For three divorces, the Prophet صلى الله عليه وسلم fixed the period of three months.

[2] He is Mahmûd bin Labid bin Abû Râfi' Al-Ansâri Al-Ashhali. He was born during the lifetime of (the Prophet صلى الله عليه وسلم). Al-Bukhâri said, "He attained the companionship of the Prophet صلى الله عليه وسلم", but Abû Hâtim said that his Companionship is unknown, and Muslim counted him among the *Tabi'in*. He was among the *'Ulamâ* and he died in the year 96 H.

of Allâh's Book while I am among you?" As a result a man got up and said, "O Allâh's Messenger, shall I kill him?" [Reported by An-Nasâ'i; its narrators are reliable].

رَسُولَ اللهِ! أَلاَ أَقْتُلُهُ. رَوَاهُ النَّسَائِيُّ، وَرُوَاتُهُ مُوَثَّقُونَ.

**919.** Narrated Ibn 'Abbâs رضي الله عنهما: Abû Rukâna[1] divorced Umm Rukâna. So Allâh's Messenger صلى الله عليه وسلم told him, "Take your wife back." And he replied, "I have divorced her with three pronouncements." He said, "I have understood, take her back." [Reported by Abû Dâ'ud].

(٩١٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: طَلَّقَ أَبُو رُكَانَةَ، أُمَّ رُكَانَةَ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «رَاجِعِ امْرَأَتَكَ». فَقَالَ: إِنِّي طَلَّقْتُهَا ثَلاَثاً، قَالَ: «قَدْ عَلِمْتُ، رَاجِعْهَا». رَوَاهُ أَبُو دَاوُدَ.

A wording by Ahmad has: Abû Rukâna divorced his wife with three pronouncements at one sitting, but he was grieved about her and Allâh's Messenger صلى الله عليه وسلم told him, "They (the three pronouncements) are reckoned as a single utterance of divorce." [The two *Ahadîth* have Ibn Ishâq[2], in their chains of narrators, and his reliability has been doubted]..

وَفِي لَفْظٍ لأَحْمَدَ: طَلَّقَ أَبُو رُكَانَةَ امْرَأَتَهُ فِي مَجْلِسٍ وَاحِدٍ ثَلاثاً، فَحَزِنَ عَلَيْهَا، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «فَإِنَّهَا وَاحِدَةٌ». وَفِي سَنَدِهِمَا ابْنُ إِسْحَاقَ، وَفِيهِ مَقَالٌ.

Abû Dâ'ud have reported a *Hadîth* better than the aforesaid one in another version, it has: "Abu Rukâna divorced his wife Suhaima absolutely and said, 'I swear by Allâh that I mean it to be only a single utterance

وَقَدْ رَوَى أَبُو دَاوُدَ مِنْ وَجْهٍ آخَرَ، أَحْسَنَ مِنْهُ، أَنَّ أَبَا رُكَانَةَ طَلَّقَ امْرَأَتَهُ سُهَيْمَةَ الْبَتَّةَ، فَقَالَ: وَاللهِ مَا أَرَدْتُ بِهَا إِلاَّ وَاحِدَةً، فَرَدَّهَا إِلَيْهِ النَّبِيُّ ﷺ.

---

[1] Abû Rukâna bin 'Abd Yazid bin Hâshim bin 'Al-Muttalib bin Abd Munâf Al-Muttalibi was among those who became Muslims during the conquest of Makka. It is said that he wrestled with the Prophet صلى الله عليه وسلم who beat him and that was the cause of his Islâm. He settled at Al-Madîna and died there at the beginning of Mu'âwiya's Caliphate. It is also said that he died in his caliphate. It is also said that he died in the year 41. His wife was Suhaima, daughter of 'Uwaimir Al-Muzaniya.

[2] Abû 'Abdullâh Muhammad bin Ishâq bin Yasâr Al-Muttalibi, the manumitted slave of Qais bin Makhrama Al-Madani was the master of the history of the military expeditions of the Prophet صلى الله عليه وسلم and his Companions رضي الله عنهم. He died in 51 H.

of divorce,' so the Prophet صلى الله عليه وسلم restored her to him."

**920.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There are three things which, whether undertaken seriously or in jest, are treated as serious:[1] marriage, divorce and taking back a wife after a divorce which is not final." [Reported by *Al-Arba'a* except An-Nasâ'i; Al-Hâkim graded it *Sahih* (sound)].

(٩٢٠) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**ثَلاثٌ جِدُّهُنَّ جِدٌّ، وَهَزْلُهُنَّ جِدٌّ: النِّكَاحُ، وَالطَّلاَقُ، وَالرَّجْعَةُ**». رَوَاهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ الحَاكِمُ.

A version by Ibn 'Adi with another but less reliable authority has: "Divorce, emancipation and marriage."

وَفِي رِوَايَةٍ لابْنِ عَدِيٍّ، مِنْ وَجْهٍ آخَرَ ضَعِيفٍ: «الطَّلاَقُ، وَالْعِتَاقُ، وَالنِّكَاحُ».

Al-Hârith bin Abû Usâma reported this from the *Hadîth* of 'Ubâda bin As-Sâmit (رضى الله عنه) — tracing it to the Prophet صلى الله عليه وسلم: "It is not permissible to make joke of three things: divorce, marriage and emancipation, for if anyone pronounces (either of) them, they certainly become binding." [Its chain of narrators is weak].

وَلِلْحَارِثِ بْنِ أَبِي أُسَامَةَ، مِنْ حَدِيثِ عُبَادَةَ بْنِ الصَّامِتِ، رَفَعَهُ: «**لاَ يَجُوزُ اللَّعِبُ فِي ثَلاثٍ: الطَّلاَقِ، وَالنِّكَاحِ، وَالْعِتَاقِ، فَمَنْ قَالَهُنَّ فَقَدْ وَجَبْنَ**». وَسَنَدُهُ ضَعِيفٌ.

**921.** Narrated Abû Huraira رضى الله عنه: The Prophet صلى الله عليه وسلم said, "Allâh the Most High has exempted from my followers what they contemplate on within themselves so long as they do not act upon or speak about them." [Agreed upon].

(٩٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «**إِنَّ اللَّهَ تَعَالَى تَجَاوَزَ عَنْ أُمَّتِي مَا حَدَّثَتْ بِهِ أَنْفُسَهَا، مَا لَمْ تَعْمَلْ، أَوْ تَكَلَّمْ**». مُتَّفَقٌ عَلَيْهِ.

---

[1] It means that the following four things happen merely because of utterances even spoken by way of joke: 1) *Nikâh* — marriage. 2) *Talâq* — divorce. 3) Revocation of a divorce, and 4) Freeing of a slave.

**922.** Narrated Ibn 'Abbâs رضى الله عنهما: The Prophet صلى الله عليه وسلم said, "Allâh the Most High has overlooked my follower's mistakes and forgetfulness, and what they are forced to do against their will."[1] [Reported by Ibn Mâjah and Al-Hâkim; Abû Hâtim said that it is not an established *Hadîth*].

(٩٢٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «**إِنَّ اللَّهَ تَعَالَى وَضَعَ عَنْ أُمَّتِي الْخَطَأَ، وَالنِّسْيَانَ، وَمَا اسْتُكْرِهُوا عَلَيْهِ**». رَوَاهُ ابْنُ مَاجَهْ. وَالْحَاكِمُ. وَقَالَ أَبُو حَاتِمٍ: لاَ يَثْبُتُ.

**923.** Narrated Ibn 'Abbâs رضى الله عنهما: "If anyone makes his wife unlawful[2] for himself it is nothing," and he said, "You have had a good example in Allâh's Messenger."[3] [Reported by Al-Bukhâri].

(٩٢٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: إِذَا حَرَّمَ امرأته، لَيْسَ بِشَيْءٍ وَقَالَ: لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللهِ أُسْوَةٌ حَسَنَةٌ. رَوَاهُ الْبُخَارِيُّ.

Muslim has: "When a man makes his wife unlawful for himself, it is treated like an oath for breaking which atonement must be made."

وَلِمُسْلِمٍ: إِذَا حَرَّمَ الرَّجُلُ عَلَيْهِ امْرَأَتَهُ، فَهُوَ يَمِينٌ، يُكَفِّرُهَا.

**924.** Narrated 'Aisha رضى الله عنها: When the daughter of Al-Jaun was conducted to Allâh's Messenger صلى الله عليه وسلم and he went near her, she said, "I seek refuge in Allâh from you," and he replied, "You have sought refuge in the One Who is worthy of refuge being taken in, return to your family."[4] [Reported by Al-Bukhâri].

(٩٢٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ ابْنَةَ الْجَوْنِ لَمَّا أُدْخِلَتْ عَلَى رَسُولِ اللهِ ﷺ، وَدَنَا مِنْهَا: قَالَتْ: أَعُوذُ بِاللهِ مِنْكَ، فَقَالَ: «**لَقَدْ عُذْتِ بِعَظِيمٍ، الْحَقِي بِأَهْلِكِ**». رَوَاهُ الْبُخَارِيُّ.

---

[1] It means that mere thinking of divorce does not effectuate it. It also means that the divorce given under compulsion is not a divorce. Similarly marriage under compulsion is also not a marriage.

[2] If a man says to his wife that he will not keep any relation with her and makes her unlawful for himself, it will not be regarded as a divorce, it is only a vow and has to be expiated.

[3] The Prophet's example refers to his boycotting of his wives for a period.

[4] Another division of divorce is made clear in this *Hadith*, which is as follows: 1) Evident and clear divorce: In this form no intention is involved because of the clear and definite words. Just the words spoken are deemed enough to accomplish the divorce. 2) Indirect or by hint: In this form the words are equivocal. they may or may not mean divorce. For

**925.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There is no divorce but after marriage, and no freeing (of a slave) till one has possession (of one)."[1] [Reported by Abû Ya'la and Al-Hâkim graded it *Sahih* (sound), but it is *Ma'lul* (defective) and Ibn Majah reported like this on the authority of Al-Miswar bin Makhrama and its chain of narrators is good, but it is *Ma'lul* too].

(٩٢٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«لاَ طَلاَقَ إلاَّ بَعْدَ نِكَاحٍ، وَلاَ عِتْقَ إلاَّ بَعْدَ مِلْكٍ»**. رَوَاهُ أَبُو يَعْلَى، وَصَحَّحَهُ الْحَاكِمُ، وَهُوَ مَعْلُولٌ، وَأَخْرَجَ ابْنُ مَاجَهْ عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ مِثْلَهُ، وَإِسْنَادُهُ حَسَنٌ، لٰكِنَّهُ مَعْلُولٌ أَيْضاً.

**926.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather: Allâh's Messenger صلى الله عليه وسلم said, "No descendant of Adam may make a vow about what he does not possess, or set free what he does not possess, or divorce what he does not possess." [Abû Dâ'ud and At-Tirmidhi reported it; the latter graded it *Sahih* (sound). Al-Bukhâri commented that it is the most sound *Hadîth* on this subject].

(٩٢٦) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«لاَ نَذْرَ لاِبْنِ آدَمَ فِيمَا لاَ يَمْلِكُ، وَلاَ عِتْقَ لَهُ فِيمَا لاَ يَمْلِكُ، وَلاَ طَلاَقَ لَهُ فِيمَا لاَ يَمْلِكُ»**. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ، وَنَقَلَ عَنِ الْبُخَارِيِّ أَنَّهُ أَصَحُّ مَا وَرَدَ فِيهِ.

**927.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said, "There are three people whose actions are not recorded:[2] a sleeping person till he awakes up, a boy till he is a grown up, and a mad person till he is restored to reason or recovers his

(٩٢٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنِ النَّبِيِّ ﷺ قَالَ: **«رُفِعَ الْقَلَمُ عَنْ ثَلاَثَةٍ: عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ، وَعَنِ الصَّغِيرِ حَتَّى يَكْبَرَ، وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ، أَوْ يُفِيقَ»**. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ إلاَّ

---

example: 'You are free' or 'Go to your parents', etc. When such words are spoken, their intention will be trustworthy, and not the words. If the speaker means divorce, then it will befall and if he does not mean divorce then it will not happen.

[1] It means that no one can divorce on behalf of others. One can divorce only that woman who is married to him. It is absurd to divorce the wife of son or brother.

[2] It means that if anybody divorces during sleep, it will not be regarded a divorce. If a minor divorces, it will not be considered divorce; similarly if an insane divorces, it will not befall.

senses." [Reported by Ahmad and *Al-Arba'a*, except At-Tirmidhi; Al-Hâkim graded it *Sahih* (sound)].

التِّرْمِذِيَّ، وَصَحَّحَهُ الْحَاكِمُ.

## Chapter 8
## *AR-RAJ'A* (TAKING BACK A WIFE AFTER A DIVORCE WHICH IS NOT FINAL)

## ٨ - بَابُ الرَّجْعَةِ

**928.** Narrated 'Imrân bin Husain رضى الله عنهما: He was asked about a man who divorces his wife, then takes her back without taking witnesses on either. So he replied, "Get witnesses on her divorce, and on her taking back."[1] [Abû Dâ'ud reported it as a *Mawqûf*, but its chain of narrators is *Sahih* (sound)]. Al-Baihaiqi reported the aforesaid *Hadîth* with this wording: 'Imrân bin Husain رضى الله عنهما was asked about someone who takes his wife back after a divorce which is not final, but he does not take witnesses and he replied, "It does not pertain to *Sunna*, and he should get witnesses now." At-Tabarâni added in a version: "and he should ask Allâh's pardon".

(٩٢٨) عَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ سُئِلَ عَنِ الرَّجُلِ يُطَلِّقُ، ثُمَّ يُرَاجِعُ، وَلاَ يُشْهِدُ، فَقَالَ: أَشْهِدْ عَلَى طَلاَقِهَا، وَعَلَى رَجْعَتِهَا. رَوَاهُ أَبُو دَاوُدَ هٰكَذَا مَوْقُوفاً، وَسَنَدُهُ صَحِيحٌ وَأَخْرَجَهُ الْبَيْهَقِيُّ بِلَفْظِ: (أَنَّ عِمْرَانَ بْنَ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، سُئِلَ عَمَّنْ رَاجَعَ امْرَأَتَهُ وَلَمْ يُشْهِدْ، فَقَالَ فِي غَيْرِ سُنَّةٍ؟ فَلْيُشْهِدِ الآنَ) وَزَادَ الطَّبَرَانِيُّ فِي رِوَايَةٍ (ويستغفر الله).

**929.** Narrated Ibn 'Umar رضى الله عنهما: When he divorced his wife the Prophet صلى الله عليه وسلم said to 'Umar, "Command him to take her back." [Agreed upon].

(٩٢٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّهُ لَمَّا طَلَّقَ امْرَأَتَهُ، قَالَ النَّبِيُّ ﷺ لِعُمَرَ: «مُرْهُ، فَلْيُرَاجِعْهَا». مُتَّفَقٌ عَلَيْهِ.

[1] It means that for *Talâq* (divorce) and *Raj'a* (revocation of divorce), two witnesses should be appointed. If there are no witnesses, the man or woman can go back on one's words for some of their interests and it can create many evils. To appoint witnesses is obligatory or desirable? Consensus is that it is desirable but actually it is obligatory.

## Chapter 9
## *AL-'IYLÂ'*[1], *AZ-ZIHÂR*[2] AND *AL-KAFFÂRA*[3]

## ٩ - بَابُ الإِيْلَاءِ وَالظِّهَارِ وَالْكَفَّارَةِ

**930.** Narrated 'Aisha رضـي الله عنهـا: Allâh's Messenger صلى الله عليه وسلم swore that he would stay away from his wives for a period; and had made something unlawful for himself (i.e. something not in itself unlawful), then he made it lawful; and he made atonement for breaking an oath. [Reported by At-Tirmidhi; and its narrators are reliable].

(٩٣٠) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: آلَى رَسُولُ اللهِ ﷺ مِنْ نِسَائِهِ، وَحَرَّمَ، فَجَعَلَ الْحَلَالَ حَرَاماً، وَجَعَلَ لِلْيَمِينِ كَفَّارَةً. رَوَاهُ التِّرمِذِيُّ، وَرُوَاتُه ثِقَاتٌ.

**931.** Narrated Ibn 'Umar رضي الله عنهما: When a period of four months elapses, the one who swears to stay away from his wife must be made to return to her or divorce her, and the divorce is not valid till the husband himself pronounces it.[4] [Al-Bukhâri reported it].

(٩٣١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: إِذَا مَضَتْ أَرْبَعَةُ أَشْهُرٍ وُقِفَ الْمُوْلِيْ، حَتَّى يُطَلِّقَ، وَلَا يَقَعُ عَلَيْهِ الطَّلَاقُ حَتَّى يُطَلِّقَ. أَخْرَجَهُ الْبُخَارِيُّ.

---

[1] *'Iylâ'* (الإيـلاء) means to make a vow that one is not going to maintain any kind of relation with his wife or to say her directly swearing by Allâh that no relation will be maintained with her in future. Allâh عزوجل has prescribed four months period to restore the relationship. It is better to revive the relationship by paying expiation for the oath within prescribed period otherwise divorce will befall by itself, or according to others, man will be compelled to divorce or to bring back the relations to normal again.

[2] *Zihâr* (الظهـار) is derived from the word *Zahr* (الظهر) meaning back, making resemblance between one's wife and mother from back. (This is a figure of speech in Arabic language to say that you are my mother and unlawful for me for marriage). According to *Shari'a* term, *Zihâr* means giving resemblance to one's wife and to one's mother and making her unlawful for oneself. It is not considered a divorce in *Shari'a* but one has to expiate for it before re-going to his wife. Its expiation is to free a slave or to fast for sixty days respectively or to feed sixty poor persons. One has to bear compulsorily one of these punishments.

[3] *Kaffara* (الكفارة) means making atonement (for either of the above cases).

[4] In case of *'Iylâ'* the man should be asked either to divorce or to restore the relationship, divorce will to happen by itself after passing four months. If he is not willing in either case, then she can get her marriage cancelled with the permission of the ruler, and after passing her *'Iddah* period, she is allowed to marry.

**932.** Narrated Sulaimân bin Yasâr[1] (رضى الله عنه): I met over ten of the Companions of Allâh's Messenger صلى الله عليه وسلم, all of them made the one who swears to stay away from his wife, return to her or divorce her at the end of the period. [Reported by Ash-Shâfi'î].

(٩٣٢) وَعَنْ سُلَيْمَانَ بْنِ يَسَارٍ قَالَ: أَدْرَكْتُ بِضْعَةَ عَشَرَ رَجُلاً مِنْ أَصْحَابِ رَسُولِ اللهِ ﷺ، كُلُّهُمْ يَقِفُونَ الْمُولِي. رَوَاهُ الشَّافِعِيُّ.

**933.** Narrated Ibn 'Abbâs رضى الله عنهما: The swearing to stay away from one's wife in *Al-Jâhiliya* era[2] was for one or two years, so Allâh has appointed a period of four months for it, so if it is less than four months, it is not swearing to stay away from one's wife.[3] [Al-Baihaqi reported it].

(٩٣٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ إِيلَاءُ الْجَاهِلِيَّةِ السَّنَةَ وَالسَّنَتَيْنِ، فَوَقَّتَ اللَّهُ أَرْبَعَةَ أَشْهُرٍ، فَإِنْ كَانَ أَقَلَّ مِنْ أَرْبَعَةِ أَشْهُرٍ فَلَيْسَ بِإِيلَاءٍ. أَخْرَجَهُ الْبَيْهَقِيُّ.

**934.** Narrated (Ibn 'Abbâs) رضى الله عنهما: A man had vowed to make his wife like his mother then he had intercourse with her, so he went to the Prophet صلى الله عليه وسلم and said, "I had intercourse with her before making atonement." He replied, "Do not go near her till you do what Allâh has commanded you to do." [Reported by *Al-Arba'a*; At-Tirmidhi graded it *Sahih* (sound) but An-Nasâ'i preponderated that it is *Mursal*]. Al-Bazzâr reported it in another

(٩٣٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَجُلاً ظَاهَرَ مِنِ امْرَأَتِهِ، ثُمَّ وَقَعَ عَلَيْهَا، فَأَتَى النَّبِيَّ ﷺ، فَقَالَ: إِنِّي وَقَعْتُ عَلَيْهَا قَبْلَ أَنْ أُكَفِّرَ، قَالَ: «فَلَا تَقْرَبْهَا، حَتَّى تَفْعَلَ مَا أَمَرَكَ اللَّهُ». رَوَاهُ الْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ، وَرَجَّحَ النَّسَائِيُّ إِرْسَالَهُ، وَرَوَاهُ الْبَزَّارُ مِنْ وَجْهٍ آخَرَ عَنِ ابْنِ عَبَّاسٍ، وَزَادَ فِيهِ: «كَفِّرْ وَلَا تَعُدْ».

[1] He is Abû Ayub Sulaimân bin Yasâr, the manumitted slave of *'Umm-ul-Mû'minin* Maimuna رضى الله عنها. He was one of the seven *Fiqh* '*Ulamâ* of the elder *Tabi'in* in Al-Madîna. He was reliable, virtuous, pious and knowledgeable. He died in the year 107 H at the age of 73 years.

[2] In the Period of Ignorance, woman was very unfortunate, for years she stood in the middle of nowhere. She was not married, she was not divorced, she hanged in between and was not allowed to remarry after passing her *'Iddah* period. Sometimes for the purpose of teaching her a lesson, severance of relations is necessary, but separation for years together is injustice to her, so Allâh fixed this period for four months.

[3] This *Hadîth* makes it clear that if the relations are re-established within the period of four months, then it is not *'Iylâ'* and there is no penalty for it.

version from Ibn 'Abbâs (رضي الله عنهما) and he added to it: "Make an atonement and do not repeat it."

**935.** Narrated Salama bin Sakhr[1] رضي الله عنه: When the month of Ramadân came, I feared lest I would have intercourse with my wife, so I vowed that she was like my mother but one night something of her was uncovered to me and I had intercourse with her. Allâh's Messenger صلى الله عليه وسلم afterwards said to me, "Set a slave free," and I replied, "I do not possess anyone." He said, "Then fast two consecutive months." I replied, "Was the calamity by which I had been smitten due to anything but fasting!?" He said, "Feed sixty poor people with an *'Araq* (basket) of dates." [Ahmad and *Al-Arba'a* except An-Nasâ'i reported it; Ibn Khuzaima and Ibn Al-Jârûd graded it *Sahih* (sound)].

(٩٣٥) وَعَنْ سَلَمَةَ بْنِ صَخْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: دَخَلَ رَمَضَانُ، فَخِفْتُ أَنْ أُصِيبَ امْرَأَتِي، فَظَاهَرْتُ مِنْهَا، فَانْكَشَفَ لِي شَيْءٌ مِنْهَا لَيْلَةً، فَوَقَعْتُ عَلَيْهَا فَقَالَ لِي رَسُولُ اللَّهِ ﷺ: «حَرِّرْ رَقَبَةً». فَقُلْتُ: مَا أَمْلِكُ إِلاَّ رَقَبَتِي. قَالَ: «فَصُمْ شَهْرَيْنِ مُتَتَابِعَيْنِ»، قُلْتُ: وَهَلْ أَصَبْتُ الَّذِي أَصَبْتُ إِلاَّ مِنَ الصِّيَامِ، قَالَ: «أَطْعِمْ عَرَقاً مِنْ تَمْرٍ سِتِّينَ مِسْكِيناً». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ إِلاَّ النَّسَائِيَّ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ.

## Chapter 10
## *AL-LI'ÂN*[2]
## (INVOKING CURSES)

## ١٠ - بَابُ اللِّعَانِ

**936.** Narrated Ibn 'Umar رضي الله عنهما: So-and-so asked and said, "O Allâh's Messenger, tell me if one of us finds his wife committing adultery how should he act? If he talks he would

(٩٣٦) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَأَلَ فُلاَنٌ فَقَالَ: يَا رَسُولَ اللهِ! أَرَأَيْتَ أَنْ لَوْ وَجَدَ أَحَدُنَا امْرَأَتَهُ عَلَى فَاحِشَةٍ

[1] He is Salama bin Sakhr bin Sulaimân bin As-Samma Al-Bayâdi - a descendant of Banu Bayâd, a clan of Al-Khazraj - was one of the *Al-Bukâ'un* (the wailers) among the *Sahâba*.

[2] *Li'ân* (اللعان) means to blame one's wife for the charge of adultery without any solid proof in hand. In case of woman's refusal of the allegation, man has to swear four times repeating the allegation and for the fifth time he would say: May Allâh's Wrath fall on me if I am a liar. If the woman keeps silent, she will be punished, but if she refuses the allegation, she will have to swear four times refusing the allegation and for the fifth time she would say: If the man speaks truth, may Allâh's Curse fall on me. Because Allâh's Curse is invoked in this matter, therefore it is named as *Li'ân*. *Li'ân* makes separation between man and wife by itself and there is no way of their remarriage again.

talk about a grievous affair, and if he keeps silent he would keep silent about something similar." He gave no answer. Afterwards he came to him (صلى الله عليه وسلم) and said, "I have been afflicted with the very problem which I had asked you about." Then Allâh sent down the verse of *Surât An-Nur* (the Light). He then recited them to him and exhorted, admonished and informed him that the punishment of this world is easier than that of the Hereafter. He said, "No, by Him Who sent you with the Truth, I have not lied against her." He then summoned the woman and exhorted her in the same way. She said, "No, by Him Who sent you with the Truth, he is a liar." He began with the man; and he (the man) bore witness four times with an oath by Allâh; he then did the same with the woman, then he separated them. [Reported by Muslim].

كَيْفَ يَصْنَعُ؟ إِنْ تَكَلَّمَ تَكَلَّمَ بِأَمْرٍ عَظِيمٍ، وَإِنْ سَكَتَ سَكَتَ عَلَىٰ مِثْلِ ذٰلِكَ. فَلَمْ يُجِبْهُ، فَلَمَّا كَانَ بَعْدَ ذٰلِكَ أَتَاهُ، فَقَالَ: «إِنَّ الَّذِي سَأَلْتُكَ عَنْهُ قَدِ ابْتُلِيتُ بِهِ، فَأَنْزَلَ اللَّهُ الآيَاتِ فِي سُورَةِ النُّورِ، فَتَلاهُنَّ عَلَيْهِ وَوَعَظَهُ، وَذَكَّرَهُ، وَأَخْبَرَهُ أَنَّ عَذَابَ الدُّنْيَا أَهْوَنُ مِنْ عَذَابِ الآخِرَةِ»، قَالَ: لاَ، وَالَّذِي بَعَثَكَ بِالْحَقِّ، مَا كَذَبْتُ عَلَيْهَا، ثُمَّ دَعَاهَا فَوَعَظَهَا كَذٰلِكَ، قَالَتْ: لاَ، وَالَّذِي بَعَثَكَ بِالْحَقِّ، إِنَّهُ لَكَاذِبٌ، فَبَدَأَ بِالرَّجُلِ، فَشَهِدَ أَرْبَعَ شَهَادَاتٍ بِاللَّهِ، ثُمَّ ثَنَّى بِالْمَرْأَةِ، ثُمَّ فَرَّقَ بَيْنَهُمَا. رَوَاهُ مُسْلِمٌ.

**937.** Narrated (Ibn 'Umar) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said to the two who were invoking curses regarding one another, "Your reckoning is in Allâh's Hands[1] for one of you is lying. You cannot remarry her." He (the man) said, "O Allâh's Messenger, what about my property?" He replied, "If you have spoken the truth, it is the price of your having had the right of intercourse with her;[2] and if you have lied against her, it is still more remote from you than she is." [Agreed upon].

(٩٣٧) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ لِلْمُتَلاعِنَيْنِ: «حِسَابُكُمَا عَلَى اللَّهِ، أَحَدُكُمَا كَاذِبٌ، لاَ سَبِيلَ لَكَ عَلَيْهَا»، قَالَ: يَا رَسُولَ اللهِ! مَالِيْ؟ فَقَالَ: «إِنْ كُنْتَ صَدَقْتَ عَلَيْهَا، فَهُوَ بِمَا اسْتَحْلَلْتَ مِنْ فَرْجِهَا، وَإِنْ كُنْتَ كَذَبْتَ عَلَيْهَا، فَذَاكَ أَبْعَدُ لَكَ مِنْهَا». مُتَّفَقٌ عَلَيْهِ.

---

[1] In this *Hadîth* attention is called to repentance for sins.

[2] It relates that jointure cannot be taken back from the woman. It is a unanimous issue.

**938.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Observe her, and if she gives birth to a child which is white with lank hair, her husband would be its father; but if she gives birth to a child with eyes looking as if they have antimony in them and curled hair, the man whom her husband charged her with committing adultery is its father."[1] [Agreed upon].

(٩٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «أَبْصِرُوهَا، فَإِنْ جَاءَتْ بِهِ أَبْيَضَ، سَبِطاً، فَهُوَ لِزَوْجِهَا، وَإِنْ جَاءَتْ بِهِ أَكْحَلَ، جَعْداً، فَهُوَ لِلَّذِي رَمَاهَا بِهِ». مُتَّفَقٌ عَلَيْهِ.

**939.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم ordered a man to put his hand on his mouth[2] when he came to the fifth utterance and said, "It would be the deciding one." [Reported by Abû Dâ'ud; its narrators are reliable].

(٩٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ أَمَرَ رَجُلاً أَنْ يَضَعَ يَدَهُ عِنْدَ الْخَامِسَةِ عَلَىٰ فِيهِ، وَقَالَ: «إِنَّهَا مُوجِبَةٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَرِجَالُهُ ثِقَاتٌ.

**940.** Narrated Sahl bin Sa'd رضي الله عنه concerning the story of the two (husband and wife) who invoked curses regarding one another: When they finished invoking curses regarding one another the man said, "I shall have lied against her, O Allâh's Messenger if I keep her." He pronounced her divorce three times[3] before Allâh's Messenger صلى الله عليه وسلم commanded him so. [Agreed upon].

(٩٤٠) وَعَنْ سَهْلِ ابْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ – فِي قِصَّةِ الْمُتَلَاعِنَيْنِ – قَالَ: فَلَمَّا فَرَغَا مِنْ تَلَاعُنِهِمَا، قَالَ: كَذَبْتُ عَلَيْهَا يَا رَسُولَ اللهِ! إِنْ أَمْسَكْتُهَا، فَطَلَّقَهَا ثَلَاثاً قَبْلَ أَنْ يَأْمُرَهُ رَسُولُ اللهِ ﷺ. مُتَّفَقٌ عَلَيْهِ.

---

[1] This *Hadîth* relates three points: First, about the things not made clear by Revelation, the Prophet صلى الله عليه وسلم made the exercise of judgement in them. Second, if first sources for decision making are not available, making decision by conjecture is correct. Third, in case of *Li'ân*, even the conjecture is correct, woman is not punished for adultery.

[2] Putting the hand on mouth is a sign to be heedful and conscious for the last time, after it one has to bear the consequences in this world or in the Hereafter. If the man stops for the fifth time he will be punished for slandering. Woman has also the right of *Li'ân* if she wishes.

[3] After *Li'ân* there is no need of divorce, it automatically befalls. After *Li'ân* woman is not entitled to receive any maintenance allowance or lodging.

**941.** Narrated Ibn 'Abbâs رضي الله عنهما: A man came to the Prophet صلى الله عليه وسلم and said, "My wife rejects no hand of a man who wishes to touch her[1]." He said, "Banish her.[2]" He replied, "I am afraid my soul may covet her." He said, "Then enjoy her." [Reported by Abû Dâ'ud and Al-Bazzâr; its narrators are reliable]. An-Nasâ'i reported it with another version from Ibn 'Abbâs (رضي الله عنهما) with this wording: He said, "Divorce her." He replied, "I can not endure the crave for her." He said, "Then keep her."

(٩٤١) وعن ابن عباس رضي الله تعالى عنهما، أن رجلا جاء إلى النبي ﷺ، فقال: إن امرأتي لا ترد يد لامس، قال: «**غربها**»، قال: أخاف أن تتبعها نفسي، قال: «**فاستمتع بها**». رواه أبو داود والبزار، ورجاله ثقات. وأخرجه النسائي من وجه آخر عن ابن عباس، بلفظ «قال: «**طلقها**» قال: لا أصبر عنها، قال: «**فأمسكها**».

**942.** Narrated Abû Huraira رضي الله عنه: He heard Allâh's Messenger صلى الله عليه وسلم say when the verse[3] about invoking curses came down, "Any woman who brings into a family one who does not belong to it,[4] is not an observer of Allâh's religion, and Allâh will not put her in His Paradise; and Allâh will veil Himself from any man who disowns his child while it (the child) looks at him, and will humiliate him in the presence of the first and last (creatures)." [Abû Dâ'ud, An-Nasâ'i and Ibn Mâjah reported it; and Ibn Hibbân graded it *Sahih* (sound)].

(٩٤٢) وعن أبي هريرة رضي الله تعالى عنه، أنه سمع رسول الله ﷺ يقول حين نزلت آية المتلاعنين: «**أيما امرأة أدخلت على قوم من ليس منهم فليست من الله في شيء، ولن يدخلها الله جنته، وأيما رجل جحد ولده، وهو ينظر إليه، احتجب الله عنه، وفضحه على رءوس الأولين والآخرين**». أخرجه أبو داود والنسائي وابن ماجه، وصححه ابن حبان.

**943.** Narrated 'Umar رضي الله عنه: If anyone acknowledges that he is the

(٩٤٣) وعن عمر رضي الله تعالى

---

[1] It has two meanings: Firstly, she is an adulteress; and secondly, she is not good custodian of the house. Second meanings are correct. If the first meanings were correct, the speaker had to produce witness or *Li'ân* had happened or woman had been punished, but nothing happened there, on the contrary, the Prophet صلى الله عليه وسلم ordered him to tolerate her. If the first meanings were correct, it means, the Prophet صلى الله عليه وسلم had permitted him to be a cuckold.

[2] i.e., Divorce her.

[3] *Sûrat An-Nûr*; Verse 6.

[4] It means to give birth to an illegitimate child and to present him as legitimate child. This thing creates too many troubles and problems in inheritance, legacy and marriage, etc.

father of his child just for an eye's twinkling, he has no right to disown it.[1] [Al-Baihaqi reported it; it is a *Hasan* and *Mawqûf Hadîth*].

عَنْهُ، قَالَ: مَنْ أَقَرَّ بِوَلَدِهِ طَرْفَةَ عَيْنٍ فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ. أَخْرَجَهُ الْبَيْهَقِيُّ، وَهُوَ حَسَنٌ مَوْقُوفٌ.

**944.** Narrated Abû Huraira رضي الله عنه: A man said, "O Allâh's Messenger, my wife has given birth to a black son." He asked, "Have you any camels." He replied, "Yes." He asked, "What is their colour?" He replied, "They are red." He asked, "Is there a dusky one among them?" He replied, "Yes." He asked, "How has that come about?" He replied, "It is perhaps a strain to which it has reverted." He said, "It is perhaps a strain to which this son of yours has reverted." [Agreed upon]. A version by Muslim has: "he was intending to disown him." Muslim concluded the *Hadîth* as follows: "He did not permit him to disown him."

(٩٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللَّهِ! إِنَّ امْرَأَتِي وَلَدَتْ غُلاماً أَسْوَدَ، قَالَ: «هَلْ لَكَ مِنْ إِبِلٍ؟» قَالَ: نَعَمْ، قَالَ: «فَمَا أَلْوَانُهَا؟» قَالَ: حُمْرٌ، قَالَ: «هَلْ فِيهَا مِنْ أَوْرَقَ؟» قَالَ: نَعَمْ، قَالَ: «فَأَنَّى ذَلِكَ؟» قَالَ: لَعَلَّهُ نَزَعَهُ عِرْقٌ، قَالَ: «فَلَعَلَّ ابْنَكَ هَذَا نَزَعَهُ عِرْقٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِمُسْلِمٍ: «وَهُوَ يُعَرِّضُ بِأَنْ يَنْفِيَهُ» وَقَالَ فِي آخِرِهِ: «وَلَمْ يُرَخِّصْ لَهُ فِي الِانْتِفَاءِ مِنْهُ».

## Chapter 11
## *AL-'IDDAH*[2], *AL-IHDÂD*[3], *AL-ISTIBRÂ'*[4], AND OTHER PERTAINING MATTERS

## ١١ - بَابُ الْعِدَّةِ وَالإِحْدَادِ وَالاسْتِبْرَاءِ وَغَيْرِ ذَلِكَ

**945.** Narrated Al-Miswar bin Makhrama (رضي الله عنه): Some nights

(٩٤٥) عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ، أَنَّ

[1] Merely on doubts one should not disown his child. If the parentage is once accepted, it cannot be denied. On account of disowning the child, on one side, he becomes a bastard and on the other, his mother is blamed for adultery and the child is deprived of heredity.

[2] *'Iddah* (العدة) is a period in which a woman waits after the death of her husband or divorce and she is not allowed to marry in this period. There are three kinds of *'Iddah*: 1) *'Iddah* of Birth 2) *'Iddah* of Menses and 3) *'Iddah* of Months. For a pregnant woman, in either case — death of the husband or divorce — her *'Iddah* is up to the birth of child. For example, one night before she is divorced or her husband dies and next day she gives birth to a child, her *'Iddah* ends with the birth of child. She is allowed to marry at anytime, but as long as she is not free from the puerperal blood, it is not proper to have a sexual intercourse with her.

[3] *Ihdâd* (الإحداد) is the observing of mourning for a husband who has died.

[4] *Istibra'* (الاستبراء) is the elapse till one mensuration period has passed in the case of a newly purchased slave-woman.

after her husband's death, Subai'a Al-Aslamiya[1] رضي الله عنها gave birth to a child. Then she went to the Prophet صلى الله عليه وسلم and asked permission to marry. He gave her permission and she married.' [Reported by Al-Bukhâri]. Its source is found in the two *Sahih* books of Al-Bukhâri and Muslim. A wording has: "She gave birth to a child after forty nights of her husband's death."

سُبَيْعَةَ الْأَسْلَمِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نُفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيَالٍ، فَجَاءَتِ النَّبِيَّ ﷺ، فَاسْتَأْذَنَتْهُ أَنْ تَنْكِحَ، فَأَذِنَ لَهَا، فَنَكَحَتْ. رَوَاهُ الْبُخَارِيُّ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ. وَفِي لَفْظٍ: أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةً.

A wording by Muslim has: Az-Zuhri[2] said, "I think there is no harm if she marries when she is still bleeding owing to delivery, but her husband should not go near her till she is purified."

وَفِي لَفْظٍ لِمُسْلِمٍ: قَالَ الزُّهْرِيُّ: وَلَا أَرَى بَأْساً أَنْ تَزَوَّجَ وَهِيَ فِي دَمِهَا، غَيْرَ أَنَّهُ لَا يَقْرَبُهَا زَوْجُهَا حَتَّى تَطْهُرَ.

**946.** Narrated 'Aisha رضي الله عنها: Barira (رضي الله عنها) was ordered to wait till three menstrual periods of hers have passed (before she could remarry).[3] [Reported by Ibn Mâjah; its narrators are reliable, but it is *Ma'lul* (defective)].

(٩٤٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: أُمِرَتْ بَرِيرَةُ أَنْ تَعْتَدَّ بِثَلَاثِ حِيَضٍ. رَوَاهُ ابْنُ مَاجَهْ، وَرُوَاتُهُ ثِقَاتٌ، لَكِنَّهُ مَعْلُولٌ.

---

[1] Subai'a, daughter of Al-Hârith Al-Aslamiya of Banu Aslam was a *Sahâbiya* and Ibn Sa'd mentioned that she was among the *Muhajirât*. She was married to Sa'd bin Khawla, who died in Makka during the *Hajjat-ul-Wadâ'*, then she was married by a lad from her people. They also mentioned that she married Abû Sanâbil.

[2] He is Muhammad bin Muslim bin 'Ubaidullâh bin Abdullâh bin Shihâb Al-Qurashi Az-Zuhri, one of the eminent *Imâm* and *'Aalim* of Hijâz and Shâm. He was among the elders of the 4th generation of *Tabi'in* and his mastery and greatness was conscientiously agreed upon. Al-Laith said that he never saw an *'Aalim* who accumulated so much knowledge like Ibn Shihâb and Mâlik said that Ibn Shihâb was among the most generous people and had no equal. He died in 124 H.

[3] Barira's husband was a slave. After being manumitted from slavery, as a free woman, she was given an option concerning her wedlock. Barira (رضي الله عنها) chose to get her previous wedlock nullified and hence she had to spend an *'Iddah* of a free woman consisting of three menstrual periods. This *Hadîth* implies that the duration of *'Iddah* thus spent is determined according to the status of a woman and not a man.

**947.** Narrated Ash-Sha'bî[1] from Fâtima رضي الله عنها daughter of Qais on the authority of the Prophet صلى الله عليه وسلم, regarding a woman who was divorced by three pronouncements: "She has no right for neither accommodation nor maintenance."[2]. [Reported by Muslim].

(٩٤٧) وَعَنِ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ، عَنِ النَّبِيِّ ﷺ، فِي الْمُطَلَّقَةِ ثَلاثاً لَيْسَ لَهَا سُكْنَى، وَلاَ نَفَقَة. رَوَاهُ مُسْلِمٌ.

**948.** Narrated Umm 'Atiya (رضي الله عنها): Allâh's Messenger صلى الله عليه وسلم said, "A woman must not observe mourning for more than three nights for the one who has died, except for the four months and ten days in the case of a husband,[3] and she must not wear a dyed garment except one of the type made of dyed yarn[4] or apply collyrium, or apply perfume except for a little costus or *Azfâr,*[5] when she has been purified after her menstruation." [Agreed upon. The wording being of Muslim]. Abû Dâ'ud and An-Nasâ'i have an

(٩٤٨) وَعَنْ أُمِّ عَطِيَّةَ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لاَ تُحِدُّ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلاثٍ، إِلاَّ عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً، وَلاَ تَلْبَسُ ثَوْباً مَصْبُوغاً، إِلاَّ ثَوْبَ عَصْبٍ، وَلاَ تَكْتَحِلُ، وَلاَ تَمَسُّ طِيباً، إِلاَّ إِذَا طَهُرَتْ، نُبْذَةً مِنْ قُسْطٍ أَوْ أَظْفَارٍ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ، وِلأَبِي دَاوُدَ وَالنَّسَائِيِّ مِنَ الزِّيَادَةِ: «وَلاَ تَخْتَضِبُ». وَلِلنَّسَائِيِّ: «وَلاَ تَمْتَشِطُ».

---

[1] He is Abû 'Amr 'Aamir bin Sharâhil bin 'Abdullah Ash-Sha'bi Al-Hamdâni Al-Kufi. He was a great *Tabi'i* and an eminent *Fiqh* scholar. Az-Zuhri said, "The *'Ulama* are four; Ibn Al-Musaiyab at Al-Madîna, Ash-Sha'bi at Kufa, Hasan Al-Basri at Basra and Makhul at Shâm." Ash-Sha'bi was born during 'Umar's Caliphate and it was said that he was born when six years were remaining from 'Uthmân's Caliphate.

[2] The ruling according to *Shari'a* is that in case a *Talâq* (divorce) is gradually pronounced each month, a man is liable to pay for a woman's accommodation and livelihood until the pronouncement of the third *Talâq* and preferably until the termination of her *'Iddah* period. A man is not liable to pay her any of the expenses concerning her food and lodging after the pronouncement of the third *Talâq*.

[3] The duration of *'Iddah* for a widow, (in case not pregnant) is four months and ten days. Such a duration for a divorced woman (non-pregnant) is specified as three menstrual periods, provided she is young. If the divorcee is an old woman who has already entered the phase of menopause, or if she is merely a non-adult adolescent girl, then their *'Iddah* duration is three months. In case the women in the said category are widows, their *'Iddah* duration shall be similar to the ones mentioned earlier (i.e., four months and ten days).

[4] *'Asb* was a Yemeni garment which was dyed before being woven.

[5] A nice smelling substance which resembles fingernails.

addition: "or apply henna." An-Nasâ'i added: "or comb (her hair)."

**949.** Narrated Umm Salama رضي الله عنها: I put the juice of aloes on my eyes after Abû Salama (رضي الله عنه) had died. So Allâh's Messenger صلى الله عليه وسلم said, "It gives the face a glow, so apply it only at night and remove it in the daytime, and do not comb (your hair) with scent or henna,[1] for it is a dye." I asked, "What should I use when combing?" He replied, "You should use lote-tree leaves." [Reported by Abû Dâ'ud and An-Nasâi; its chain of narrators is *Hasan*].

(٩٤٩) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: جَعَلْتُ عَلَى عَيْنِيْ صَبِراً، بَعْدَ أَنْ تُوُفِّيَ أَبُو سَلَمَةَ، فَقَالَ رَسُولُ اللهِ ﷺ: **«إِنَّهُ يَشُبُّ الْوَجْهَ، فَلاَ تَجْعَلِيهِ إِلاَّ بِاللَّيْلِ، وَانْزِعِيهِ بِالنَّهَارِ، وَلاَ تَمْتَشِطِي بِالطِّيبِ، وَلاَ بِالْحِنَّاءِ فَإِنَّهُ خِضَابٌ»**، قُلْتُ: بِأَيِّ شَيْءٍ أَمْتَشِطُ؟ قَالَ: **«بِالسِّدْرِ»**. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَإِسْنَادُهُ حَسَنٌ.

**950.** Narrated (Umm Salama) رضي الله عنها: A woman said, "O Allâh's Messenger, my daughter's husband has died and her eye is troubling her, so may we apply collyrium to it?" He replied, "No." [Agreed upon].

(٩٥٠) وَعَنْهَا أَنَّ امْرَأَةً قَالَتْ: يَا رَسُولَ اللهِ! إِنَّ ابْنَتِيْ مَاتَ عَنْهَا زَوْجُهَا، وَقَدِ اشْتَكَتْ عَيْنُهَا، أَفَنَكْحُلُهَا؟ قَالَ: **لاَ** مُتَّفَقٌ عَلَيْهِ.

**951.** Narrated Jâbir رضي الله عنه: My maternal aunt was divorced and wanted to cut down fruit from her palm-trees, but a man forbade her to go out, so she went to the Prophet صلى الله عليه وسلم and he said, "Certainly, cut down fruit from your palm-trees, for perhaps you may give *Sadaqa* or do an act of kindness."[2] [Reported by Muslim].

(٩٥١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: طُلِّقَتْ خَالَتِيْ، فَأَرَادَتْ أَنْ تَجُدَّ نَخْلَهَا، فَزَجَرَهَا رَجُلٌ أَنْ تَخْرُجَ، فَأَتَتِ النَّبِيَّ ﷺ، فَقَالَ: **«بَلْ جُدِّي نَخْلَكِ، فَإِنَّكِ عَسَى أَنْ تَصَدَّقِي، أَوْ تَفْعَلِي مَعْرُوفاً»**. رَوَاهُ مُسْلِمٌ.

---

[1] The instructions concerning the spending of *'Iddah* duration are that such a woman should not use perfume, antimony or collyrium and coloured silken clothes and should not make a decision about entering into a matrimony with a man. This ruling includes all the women in general, whether they are the non-adults, the young or the old ones.

[2] The women are instructed to spend their *'Iddah* duration within the houses of their husbands whether it is a case of divorce or widowhood. However, a woman upon whom the *Talâq* has been pronounced three times is an exception, for such a woman shall not live in her husband's house.

**952.** Narrated Furai'a, daughter of Mâlik[1]: Her husband had gone out in search of some slaves of his and they killed him. She said, "I asked Allâh's Messenger صلى الله عليه وسلم to be allowed to return to my family, for my husband had not left for me a house which belonged to him, nor had he left any maintenance." He then said, "Yes, (I agree)," but when I was in the courtyard, he called me and said, "Stay in your house till the prescribed period expires."[2] She said, "I observed the period in it for four months and ten days." She said, "Uthmân gave afterwards judgement in accordance with that." [Ahmad and *Al-Arba'a* reported it; Al-Tirmidhi, Adh-Dhuhli, Ibn Hibbân, Al-Hâkim and others graded it *Sahih* (sound)].

(٩٥٢) وَعَنْ فُرَيْعَةَ بِنْتِ مَالِكٍ، أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْبُدٍ لَهُ، فَقَتَلُوهُ، قَالَتْ: فَسَأَلْتُ رَسُولَ اللهِ ﷺ أَنْ أَرْجِعَ إِلَى أَهْلِي، فَإِنَّ زَوْجِي لَمْ يَتْرُكْ لِي مَسْكَناً يَمْلِكُهُ، وَلاَ نَفَقَةً، فَقَالَ: **نَعَمْ**، فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي، فَقَالَ: **امْكُثِي فِي بَيْتِكِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ**، قَالَتْ: فَاعْتَدَدْتُ فِيهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً، قَالَتْ: فَقَضَى بِهِ بَعْدَ ذٰلِكَ عُثْمَانُ. أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالذُّهْلِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ وَغَيْرُهُمْ.

**953.** Narrated Fâtima (رضي الله عنها) daughter of Qais: I said, "O Allâh's Messenger, my husband has divorced me by three divorce pronouncements and I am afraid that I may get broken into; so he commanded her and she moved to another house." [Reported by Muslim].

(٩٥٣) وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! إِنَّ زَوْجِي طَلَّقَنِي ثَلاَثاً، وَأَخَافُ أَنْ يُقْتَحَمَ عَلَيَّ، قَالَ: فَأَمَرَهَا فَتَحَوَّلَتْ. رَوَاهُ مُسْلِمٌ.

**954.** Narrated 'Amr bin Al-'Aas رضي الله عنه: "Do not confuse us about our Prophet's *Sunna*: The period that a slave-woman whose master dies but has begotten a child from him must wait for, is four months and ten

(٩٥٤) وَعَنْ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: لاَ تُلَبِّسُوا عَلَيْنَا: سُنَّةُ نَبِيِّنَا، عِدَّةُ أُمِّ الْوَلَدِ، إِذَا تُوُفِّيَ عَنْهَا سَيِّدُهَا، أَرْبَعَةُ أَشْهُرٍ وَعَشْرٌ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَهْ،

---

[1] She is Furai'a, daughter of Mâlik bin Sinân Al-Khudria, the sister of the famous *Sahâbi* Sa'id Al-Khudri. She witnessed the *Bai'at-ur-Ridwân*.

[2] A widow must spend the days of her *'Iddah* in the house of her late husband. Such is the ruling given by the majority of the religious scholars.

days."[1] [Reported by Ahmad, Abû Dâ'ud and Ibn Mâjah; Al-Hâkim graded it *Sahih* (sound), but Ad-Dâraqutni found it defective due to *Inqitâ*' (broken link)].

وَصَحَّحَهُ الْحَاكِمُ، وَأَعَلَّهُ الدَّارَقُطْنِيُّ بِالانْقِطَاعِ.

**955.** Narrated 'Aisha رضي الله عنها: *Al-Aqrâ'* is the period of a woman's purity (which occurs between two menses).[2] [Mâlik, Ahmad and An-Nasâ'i reported it in the course of a story with a *Sahih* chain of narrators].

(٩٥٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: إِنَّمَا الْأَقْرَاءُ الْأَطْهَارُ. أَخْرَجَهُ مَالِكٌ وَأَحْمَدُ وَالنَّسَائِيُّ، فِي قِصَّةٍ، بِسَنَدٍ صَحِيحٍ.

**956.** Narrated Ibn 'Umar رضي الله عنهما: The divorce of a slave-woman occurs by saying it (the divorce word) twice, and her *'Iddah* (waiting period) is two menses.[3] [Reported by Ad-Dâraqutni, he reported it as *Marfû'* and graded it *Da'if*]. Abû Dâ'ud, At-Tirmidhi and Ibn Mâjah reported the aforesaid *Hadîth* from the narration of 'Aisha (رضي الله عنها); Al-Hâkim graded it *Sahih* (sound), but the *Hadîth* scholars disagreed with him upon that; and they agreed that it is weak.

(٩٥٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: طَلَاقُ الْأَمَةِ تَطْلِيقَتَانِ، وَعِدَّتُهَا حَيْضَتَانِ. رَوَاهُ الدَّارَقُطْنِيُّ، وَأَخْرَجَهُ مَرْفُوعاً، وَضَعَّفَهُ، وَأَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَابْنُ مَاجَهْ مِنْ حَدِيثِ عَائِشَةَ، وَصَحَّحَهُ الْحَاكِمُ، وَخَالَفُوهُ، فَاتَّفَقُوا عَلَى ضَعْفِهِ.

---

[1] As to the duration of *'Iddah* in regard to a *Umm-ul-Walad* (a slave-woman who has already mothered a child for her master), some scholars are of the opinion that it is four months and ten days, whereas some of them maintain that it is one menstrual period only, a ruling which is correct.

[2] There are a few words in Arabic which have two a meanings and both of these meanings are opposite to each other. Such words are known as *Dhawât-ul-Addad* (the words that \are their own antonyms). One such word is *Qar'* (القرء) which stands for menstrual blood or period and at the same time also means *Tuhr* i.e., the state of being free from impurities. 'Aisha رضي الله عنها construed the same to be as *Tuhr* whereas its predominant connotation happens to be that of a menstrual blood/cycle.

[3] This makes us known that a male-slave may consummate his divorce by pronouncing it two times whereas the duration of a female-slave's *'Iddah* comprises her two menstrual cycles.

**957.** Narrated Ruwaifi‘ bin Thâbit[1] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "It is not lawful for a man who believes in Allâh and the Last Day to water what another person has sown[2]" [Abû Dâ'ud and At-Tirmidhi reported it; Ibn Hibbân graded it *Sahih* (sound); Al-Bazzâr graded it *Hasan*].

(٩٥٧) عَنْ رُوَيْفِعِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لَا يَحِلُّ لِامْرِئٍ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ يَسْقِيَ مَاءَهُ زَرْعَ غَيْرِهِ**». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَحَسَّنَهُ الْبَزَّارُ.

**958.** Narrated ‘Umar رضي الله عنه regarding a wife of a lost husband: She should wait for four years then observe the *'Iddah* for four months and ten days.[3] (before she may marry). [Mâlik and Ash-Shâfi‘i reported it].

(٩٥٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي امْرَأَةِ الْمَفْقُودِ، تَرَبَّصُ أَرْبَعَ سِنِينَ، ثُمَّ تَعْتَدُّ أَرْبَعَةَ أَشْهُرٍ وَعَشْراً. أَخْرَجَهُ مَالِكٌ وَالشَّافِعِيُّ.

**959.** Narrated Al-Mughira bin Shu‘ba رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The spouse of a lost husband remains his wife till she gets a certain news about his death." [Ad-Dâraqutni reported it with a weak chain of narrators].

(٩٥٩) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**امْرَأَةُ الْمَفْقُودِ امْرَأَتُهُ حَتَّى يَأْتِيَهَا الْبَيَانُ**». أَخْرَجَهُ الدَّارَقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

**960.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A man must not spend the night in the house of woman[4] unless he is her husband

(٩٦٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**لَا يَبِيتَنَّ رَجُلٌ عِنْدَ امْرَأَةٍ، إِلَّا أَنْ يَكُونَ نَاكِحاً، أَوْ ذَا**

[1] Ruwaifi‘ bin Thabit Al-Ansâri of Banu Mâlik bin An-Najâr and was counted among the settlers in Egypt. He died in the year 46 H.

[2] It may imply two meanings. First of all, one should not commit fornication. Secondly, one should not perform a sexual intercourse with a female-slave who is already pregnant by her ex-husband or previous master until she gives birth to a child.

[3] A woman whose husband is reported to be lost, shall have to wait four years (before she can remarry). This waiting period of four years was determined by ‘Umar رضي الله عنه. Later, the Companions of the Prophet صلى الله عليه وسلم had a consensus to this effect and the religious scholars also pronounced their judgement based on this ruling.

[4] This *Hadith* informs us that it is forbidden for a man to be with an unknown woman in loneliness. The reason for this interdiction, also mentioned in another *Hadith* is that Satan interferes between them and coaxes them into committing the abominable act of fornication. Even if they refrain from committing this unlawful act, they are still threatened

or a *Mahram*[1]." [Reported by Muslim].

مَحْرَم». أَخْرَجَهُ مُسْلِمٌ.

**961.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "A man must not be alone with a woman unless in the presence of a *Mahram*." [Al-Bukhâri reported it].

(٩٦١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «**لَا يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ**». أَخْرَجَهُ الْبُخَارِيُّ.

**962.** Narrated Abû Sa'îd رضي الله عنه: The Prophet صلى الله عليه وسلم said in regard to the captives taken at Autâs, "There must be no intercourse with a pregnant woman till she gives birth, or with one who is not pregnant till she has had one menstrual period." [Abû Dâ'ud reported it; Al-Hâkim graded it *Sahih* (sound)]. The aforesaid *Hadîth* has an authority from Ibn 'Abbâs (رضي الله عنهما) reported by Ad-Dâraqutni.

(٩٦٢) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي سَبَايَا أَوْطَاسٍ: «**لَا تُوطَأُ حَامِلٌ حَتَّى تَضَعَ، وَلَا غَيْرُ ذَاتِ حَمْلٍ، حَتَّى تَحِيضَ حَيْضَةً**». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ، وَلَهُ شَاهِدٌ عَنِ ابْنِ عَبَّاسٍ فِي الدَّارَقُطْنِيِّ.

**963.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The child (born out of wedlock) belongs to the one on whose bed it is born,[2] and stoning to death is for the fornicator." [Agreed upon; as part of Abû Huraira's *Hadîth*]. The aforesaid *Hadîth* is also a part of 'Aisha's

(٩٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**الْوَلَدُ لِلْفِرَاشِ، وَلِلْعَاهِرِ الْحَجَرُ**». مُتَّفَقٌ عَلَيْهِ مِنْ حَدِيثِهِ، وَمِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا فِي قِصَّةٍ، وَعَنِ ابْنِ مَسْعُودٍ عِنْدَ النَّسَائِيِّ وَعَنْ

---

to be accused as such and thus fall into a disrepute. It is also an obligation to avoid such places of accusations.

[1] *Mahram* is the one who is so closely related to the woman that the marriage is forbidden.

[2] It means that a woman's child will always be attributed to her husband and shall remain in his custody. If someone claims that he had an unlawful sexual intercourse with a certain woman and hence the child which is in her custody belongs to him. In this situation, the child will still belong to the woman's husband and so long as the man in question has confessed to committing an act of fornication, *Shari'a* ruling shall be enforced on him. No ruling, however, shall be pronounced on the woman merely on the statement of the fornicator unless the same is supported by four witnesses. Otherwise a ruling of calumny (accusing her falsely) shall also be pronounced against him.

Hadîth in the course of a story; and from Ibn Mas'ûd by An-Nasâ'i, and from 'Uthmân by Abû Dâ'ud.

عُثْمَانَ عِنْدَ أَبِي دَاوُدَ.

## Chapter 12 *AR-RIDÂ'* (SUCKLING OF ONE'S CHILD BY A WOMAN OTHER THAN HIS MOTHER)

## ١٢ - بَابُ الرَّضَاعِ

**964.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "One or two sucks do not make marriage unlawful.[1]" [Muslim reported it].

(٩٦٤) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تُحَرِّمُ الْمَصَّةُ وَلَا الْمَصَّتَانِ». أَخْرَجَهُ مُسْلِمٌ.

**965.** Narrated ('Aisha) رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Make sure (you women) who your brothers[2] are, for suckling is that which is consequent to hunger." [Agreed upon].

(٩٦٥) وَعَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «انْظُرْنَ مَنْ إِخْوَانُكُنَّ، فَإِنَّمَا الرَّضَاعَةُ مِنَ الْمَجَاعَةِ». مُتَّفَقٌ عَلَيْهِ.

**966.** Narrated ('Aisha) رضي الله عنها: Sahla (رضي الله عنها) daughter of Suhail[3] (رضي الله عنه) came and said, "O Allâh's

(٩٦٦) وَعَنْهَا قَالَتْ: جَاءَتْ سَهْلَةُ بِنْتُ سُهَيْلٍ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ سَالِماً

[1] This *Hadîth* tells us that the suckling's act of (sucking on a woman's milk) once or twice does not confirm and prove *Tahrîm* (prohibition). A *Hadîth* narrated by 'Aisha رضي الله عنها clearly states that in order to prove such a prohibition a woman has to breast feed a baby at least five times.

[2] It goes that a certain person was sitting by 'Aisha رضي الله عنها, while the Prophet صلى الله عليه وسلم came. He (the Prophet صلى الله عليه وسلم) did not like the idea of someone sitting with her in loneliness. 'Aisha رضي الله عنها informed the Prophet صلى الله عليه وسلم that the person was her foster brother (in the sense that both of them were breast-fed by the same woman in their infancy). Upon hearing this, the Prophet صلى الله عليه وسلم observed a generalised instruction to the effect that one should thoroughly investigate and confirm about the validity of such a statement in relation to one's breast-fed brothers since the breast-feeding in one's infancy only proves this prohibition. This was a special instruction applicable to them only excluding others.

[3] Sahla, daughter of Suhail bin 'Amr Al-Qurashiya was from Banu 'Aamir bin Lu'ai. She became a Muslim early and migrated with Abû Hudhaifa to Abyssinia (Ethiopia) and bore for him there Muhammad bin Abû Hudhaifa.

Messenger, Sâlim[1] the manumitted slave of Abû Hudhiafa[2] lives with us in our house; and he has attained what men attain (i.e. puberty). He said, "Suckle him so you would become unlawful[3] to him (in marriage)." [Reported by Muslim].

مَوْلَى أَبِيْ حُذَيْفَةَ مَعَنَا، فِي بَيْتِنَا، وَقَدْ بَلَغَ مَا يَبْلُغُ الرِّجَالُ، فَقَالَ: «أَرْضِعِيهِ، تَحْرُمِي عَلَيْهِ». رَوَاهُ مُسْلِمٌ.

**967.** Narrated ('Aisha) رضى الله عنها: Aflah, brother of Abûl-Qu'ais[4], came and asked her permission to enter after the *Hijâb* (was instituted for women). She said, "But I refused to allow him in and when Allâh's Messenger صلى الله عليه وسلم came, I told him about what I had done, so he commanded me to give him permission to enter where I am and said, 'He is your paternal uncle.' "[5] [Agreed upon].

(٩٦٧) وَعَنْهَا أَنَّ أَفْلَحَ أَخَا أَبِي الْقُعَيْسِ جَاءَ يَسْتَأْذِنُ عَلَيْهَا بَعْدَ الْحِجَابِ، قَالَتْ: فَأَبَيْتُ أَنْ آذَنَ لَهُ، فَلَمَّا جَاءَ رَسُولُ اللهِ ﷺ: أَخْبَرْتُهُ الَّذِي صَنَعْتُهُ، فَأَمَرَنِي أَنْ آذَنَ لَهُ عَلَيَّ، وَقَالَ: إِنَّهُ عَمُّكِ. مُتَّفَقٌ عَلَيْهِ.

---

[1] He is Sâlim bin Ma'qil, the manumitted slave of Abû Hudhaifa. He was bought by a woman of *Al-Ansâr* called Laila or Thubaita, daughter of Ya'âr, and when Abû Hudhaifa married her she came along with Sâlim whom Abû Hudhaifa fostered and made him among his allies. Sâlim witnessed Badr and the Prophet صلى الله عليه وسلم ordered the *Sahâba* to listen to the recitation of the Qur'ân from four people and among them was this Sâlim. He used to lead the *Muhajirin* including 'Umar رضي الله عنه in prayers at Qubâ' Mosque before the arrival of the Prophet صلى الله عليه وسلم.

[2] It was said that his name was Muhashim or Hâshim bin 'Utba bin Rabi'a bin 'Abd Shams. He was among virtuous *Sahâba* and witnessed Badr, Uhud and all the other important battles. He was martyred in the battle of Al-Yamama at the age of 53 years.

[3] The general consensus of the '*Ulama* have established that the suckling which makes marriage unlawful between two people is the one that takes place within the first two years of age and the case of Sâlim in this *Hadîth* is an exceptional one, excluding others..

[4] He is Abul-Ja'd Aflah, the manumitted slave of Allâh's Messenger صلى الله عليه وسلم or the manumitted slave of Umm Salama. His brother Abul-Qu'ais was called Al-Ja'd or Wa'il bin Aflah Al-Ash'ari, so his brother Aflah's name is the same as that of his father. 'Aisha رضى الله عنها has two uncles-in-suckling one of them being her father Abû Bakr's brother-in-suckling who died during the lifetime of the Prophet صلى الله عليه وسلم and the second one being Aflah the brother of her father-in-suckling Abul-Qu'ais.

[5] A woman, on whose milk an infant is fed, shall be considered and regarded as its real mother as if she has herself physically given birth to him. Hence her husband shall be

**968.** Narrated ('Aisha) رضي الله عنها: In what was sent down in the Qur'ân was 'ten known sucklings made marriage unlawful', but they were abrogated by 'five known ones,' and when Allâh's Messenger صلى الله عليه وسلم died these words were among what was recited in the Qur'ân. [Reported by Muslim].

(٩٦٨) وَعَنْهَا قَالَتْ: كَانَ فِيمَا أُنْزِلَ الْقُرْآنُ عَشْرُ رَضَعَاتٍ مَعْلُومَاتٍ يُحَرِّمْنَ، ثُمَّ نُسِخْنَ بِخَمْسٍ مَعْلُومَاتٍ، فَتُوُفِّيَ رَسُولُ اللهِ ﷺ وَهِيَ فِيمَا يُقْرَأُ مِنَ الْقُرْآنِ. رَوَاهُ مُسْلِمٌ.

**969.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم was proposed to marry daughter of Hamza, and he said, "She is unlawful to me for she is the daughter of my brother in suckling; and what is unlawful by reason of genealogy[1] is unlawful by reason of suckling" [Agreed upon].

(٩٦٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ أُرِيدَ عَلَى ابْنَةِ حَمْزَةَ، فَقَالَ: «**إِنَّهَا لَا تَحِلُّ لِي، إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ وَيَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ**». مُتَّفَقٌ عَلَيْهِ.

**970.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "The suckling which makes marriage unlawful is that which fattens the bowels, and is taken before the time of weaning." [Reported by At-Tirmidhi, he and Al-Hâkim graded it *Sahih*].

(٩٧٠) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا يَحْرُمُ مِنَ الرَّضَاعِ إِلَّا مَا فَتَقَ الْأَمْعَاءَ، وَكَانَ قَبْلَ الْفِطَامِ**». رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ هُوَ وَالْحَاكِمُ.

**971.** Narrated Ibn 'Abbâs رضي الله عنهما: Suckling applies only to infants during the first two years of their age. [Reported by Ad-Dâraqutni and Ibn 'Adi as *Marfû'* and *Mawqûf* too, but they both preponderated the second one (*Mawqûf*)].

(٩٧١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: لَا رِضَاعَ إِلَّا فِي الْحَوْلَيْنِ. رَوَاهُ الدَّارَقُطْنِيُّ وَابْنُ عَدِيٍّ مَرْفُوعاً وَمَوْقُوفاً، وَرَجَّحَا الْمَوْقُوفَ.

**972.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(٩٧٢) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ

considered as his father and all the alliances which are prohibited by parental lineage shall similarly be effective on such breast-feeding infants in relation to their foster parents too.

[1] One must also bear in mind that an infant shall be related to his foster mother and therefore shall also be related to her relatives but she will have no relationship with the infants relatives. Hence some alliances will not be forbidden for the relatives of infants.

تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ رَضَاعَ إِلاَّ مَا أَنْشَزَ الْعَظْمَ، وَأَنْبَتَ اللَّحْمَ». أَخْرَجَهُ أَبُو دَاوُدَ.

"The only suckling to be considered is that which builds the bones and grows flesh." [Abû Dâ'ud reported it].

(٩٧٣) وَعَنْ عُقْبَةَ بْنِ الْحَارِثِ أَنَّهُ تَزَوَّجَ أُمَّ يَحْيَى بِنْتَ أَبِي إِهَابٍ، فَجَاءَتِ امْرَأَةٌ، فَقَالَتْ: قَدْ أَرْضَعْتُكُمَا، فَسَأَلَ النَّبِيَّ ﷺ، فَقَالَ: كَيْفَ؟ وَقَدْ قِيلَ، فَفَارَقَهَا عُقْبَةُ، وَنَكَحَتْ زَوْجاً غَيْرَهُ. أَخْرَجَهُ الْبُخَارِيُّ.

**973.** Narrated 'Uqba bin Al-Hârith[1]: He married Umm Yahya,[2] daughter of Abû Ihâb, and a woman came and said, "I have suckled both of you." So he asked the Prophet صلى الله عليه وسلم and he replied, "How (can you hesitate) when you have been told?"[3] 'Uqba therefore separated from her and she married another husband. [Al-Bukhâri reported it].

(٩٧٤) وَعَنْ زِيَادٍ السَّهْمِيِّ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ تُسْتَرْضَعَ الْحَمْقَى. أَخْرَجَهُ أَبُو دَاوُدَ. وَهُوَ مُرْسَلٌ، وَلَيْسَتْ لِزِيَادٍ صُحْبَةٌ.

**974.** Narrated Ziyâd As-Sahmi[4]: Allâh's Messenger صلى الله عليه وسلم forbade that a stupid woman may be asked to suckle an infant. [Abû Dâ'ud reported it. It is a *Mursal* and Ziyâd is not a *Sahâbi*].

## Chapter 13 MAINTENANCE

## ١٣ - بَابُ النَّفَقَاتِ

(٩٧٥) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى

**975.** Narrated 'Aisha رضي الله عنها: Hind daughter of 'Utba[5] - wife of Abû

[1] He was called Sirwa'ta 'Uqba bin Al-Hârith bin 'Aamir bin Naufal bin 'Abd Manâf Al-Makki. He was a *Sahâbi* among those who became Muslims during *Fath Makka* and he lived up to after the fifties of the Hijra.

[2] Her name is Ghaniya, daughter of Abû Ihâb bin 'Uwair At-Tamimi. It was also said that her name was Zainab.

[3] This *Hadîth* lets us know that in order to prove the breast-feeding relationship (brotherhood or sisterhood between two persons established as such), just a single evidence of a (the breast-feeding) woman is sufficient. This further elaborates that an evidence provided by a female in the matters concerning women is stronger and more authentic than the one given by her male counterpart.

[4] It is mentioned in *At-Taqrib* that he is a *Tabi'i* of the third generation and is unknown. He reported a *Hadîth* which is *Mursal*. It is also said that he was a manumitted slave of 'Amr bin Al-'Aas, but both the authors of *Usdul Ghâba* and *Al-Isti'âb* did not mention him among the *Sahâba*.

[5] Hind bint 'Utba bin Rabi'a bin 'Abd Shams became a Muslim in the year of *Al-Fath* in Makka after her husband Abû Sufyân became a Muslim in the year of *Al-Fath* in Makka. The killing of her father 'Utba, her uncle Shaiba and her brother Al-Walid at Badr

عَنْهَا قَالَتْ: دَخَلَتْ هِنْدٌ بِنْتُ عُتْبَةَ، ٱمْرَأَةُ أَبِي سُفْيَانَ، عَلَىٰ رَسُولِ اللهِ ﷺ، فَقَالَتْ: يَا رَسُولَ اللهِ! إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، لاَ يُعْطِينِي مِنَ ٱلنَّفَقَةِ مَا يَكْفِينِي، وَيَكْفِي بَنِيَّ، إِلاَّ مَا أَخَذْتُ مِنْ مَالِهِ بِغَيْرِ عِلْمِهِ، فَهَلْ عَلَيَّ فِي ذٰلِكَ مِنْ جُنَاحٍ؟ فَقَالَ: «خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكِ، وَيَكْفِي بَنِيكِ». مُتَّفَقٌ عَلَيْهِ.

Sufyân[1] — came to Allâh's Messenger صلى الله عليه وسلم and said, "O Allâh's Messenger, Abû Sufyân is a miser who does not give me and my sons enough maintenance, except what I take from his property without his knowledge. Is there any blame on me?" He replied, "Take from his property what is reasonable and enough for you and your sons."[2] [Agreed upon].

(٩٧٦) وَعَنْ طَارِقٍ الْمُحَارِبِيِّ، قَالَ: قَدِمْنَا الْمَدِينَةَ، فَإِذَا رَسُولُ اللهِ ﷺ قَائِمٌ عَلَى الْمِنْبَرِ، يَخْطُبُ النَّاسَ، وَيَقُولُ: «يَدُ الْمُعْطِي الْعُلْيَا، وَابْدَأْ بِمَنْ تَعُولُ، أُمَّكَ، وَأَبَاكَ، وَأُخْتَكَ، وَأَخَاكَ، ثُمَّ أَدْنَاكَ فَأَدْنَاكَ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالدَّارَقُطْنِيُّ.

**976.** Narrated Târiq[3] Al-Muhâribi (رضي الله عنه): We arrived at Al-Madîna when Allâh's Messenger صلى الله عليه وسلم was standing on the pulpit addressing the people and saying, "The hand of the giver is the upper one,[4] and spend first on those who are dependent on you; your mother and father, your sister and brother, then your relatives in order of their closeness to you." [Reported by

---

saddened her a lot so when Hamza was killed at Uhud by the *Mushrikûn*, she opened up his body, chewed his liver and spat it. It was reported that she died in Muharram 14 H.

[1] His name was Sakhr bin Harb bin Umaiya bin 'Abd Shams who held the flag of the *Kuffâr* and was their leader in their fight against the Prophet صلى الله عليه وسلم. He became a Muslim on the day of *Fath Makka* when Al-'Abbâs took him to the Prophet صلى الله عليه وسلم before entering Makka and he later on became a good Muslim. He died during the caliphate of 'Uthmân in 32 H.

[2] The purpose of citing this *Hadîth* here is to demonstrate that it is an obligation on a man to bear the expenses incurred by his wife and children. It further makes us known that in case someone denies someone else his lawful claims or rights he is legally entitled to, then such a person is permitted to secure them even by hook or by crook. (In other words, if someone is deprived of his lawful entitlements such as the basic means of livelihood and sustenance by way of an oppression, he then may even resort to deceitfulness or pilfering for the redemption of his rights just to make his both ends meet.

[3] Târiq bin 'Abdullah Al-Muhâribi was a *Sahâbi* who reported some *Ahadîth*. He descended from Muhârib bin Khasfa, a clan of Banu Ghatafân.

[4] A giving hand is better than a receiving one. One should avoid borrowing money as far as possible. This *Hadîth* does not mention wife and children as they are already included in the expenses. This further elaborates that a rich man's family (according to Islâmic law) includes his poor brothers and sisters so that they may live well (without any financial restraint on them).

An-Nasâ'i, Ibn Hibbân and Ad-Dâraqutni graded it *Sahih* (sound)].

**977.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A slave is entitled to his food and clothing,[1] and he should not be burdened except with the work that he is capable of doing." [Reported by Muslim].

(٩٧٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِلْمَمْلُوكِ طَعَامُهُ وَكِسْوَتُهُ، وَلَا يُكَلَّفُ مِنَ الْعَمَلِ إِلَّا مَا يُطِيقُ». رَوَاهُ مُسْلِمٌ.

**978.** Narrated Hakim bin Mu'âwiya Al-Qushairi on his father's authority رضى الله عنه: I asked, "O Allâh's Messenger, what are the rights of the wife of one of us upon her husband?" He replied, "That you should give her food when you eat, and clothe her when you clothe yourself, not strike her on the face and do not revile her." [The narrator narrated the rest of the *Hadîth* which has been mentioned in the chapter on the treatment of wives].

(٩٧٨) وَعَنْ حَكِيمِ بْنِ مُعَاوِيَةَ الْقُشَيْرِيِّ، عَنْ أَبِيهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَا حَقُّ زَوْجَةِ أَحَدِنَا عَلَيْهِ؟ قَالَ: «أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ، وَتَكْسُوَهَا إِذَا اكْتَسَيْتَ، وَلَا تَضْرِبِ الْوَجْهَ، وَلَا تُقَبِّحْ» - الْحَدِيثُ - وَتَقَدَّمَ فِي عِشْرَةِ النِّسَاءِ.

**979.** Narrated Jâbir رضى الله عنه: The Prophet صلى الله عليه وسلم - in the *Hadîth* of pilgrimage which is long - said in regard to women, "You are responsible for providing them with their food and clothing in a reasonable[2] manner." [Muslim reported it].

(٩٧٩) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، فِي حَدِيثِ الْحَجِّ بِطُولِهِ، قَالَ فِي ذِكْرِ النِّسَاءِ: «وَلَهُنَّ عَلَيْكُمْ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ». أَخْرَجَهُ مُسْلِمٌ.

---

[1] The better way of conduct is that one should offer one's male or female slave exactly the same kind and quality of food one himself partakes of, but the same is not an obligation on him. However, it is an obligation on the master to provide them with the bare minimum necessities such as food and clothes. It further informs us that no assignment should be given to a male or female slave which far exceeds their capacity to bear. If their master forces them to undertake such an assignment, there is no obligation on them to comply with such an instruction of their master.

[2] The purpose of citing this *Hadîth* here is, that the expenses should be taken into consideration in accordance with the financial status of a man. If a man is rich, his wife may claim an increased amount of expenditure money, as befits his wealthy status. If he is poor, she must claim her expenses according to his finances.

**980.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "It is sinful enough for a person to fail to fend for those he is bound to sustain."[1] [Reported by An-Nasâ'i]. But Muslim's version has this wording: "... to withhold food from the of one whose food he possesses."

(٩٨٠) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ؛ قَالَ رَسُولُ اللهِ ﷺ: «**كَفَى بِالْمَرْءِ إِثْماً أَنْ يُضَيِّعَ مَنْ يَقُوتُ**». رَوَاهُ النَّسَائِي، وَهُوَ عِنْدَ مُسْلِمٍ بِلَفْظِ «**أَنْ يَحْبِسَ عَمَّنْ يَمْلِكُ قُوتَهُ**».

**981.** Narrated Jâbir رضي الله عنه in a *Hadîth* which he traced to the Prophet صلى الله عليه وسلم regarding a pregnant (woman) whose husband had died: "She has no maintenance rights."[2] [Al-Baihaqi reported it. Its narrators are reliable, but Al-Baihaqi said, "It is regarded as *Mawqûf*"]. It was established that no maintenance is due (to a woman who was divorced by three pronounce-ments) in the *Hadîth* of Fâtima (رضي الله عنها) daughter of Qais, which has preceded. [Reported by Muslim].

(٩٨١) وَعَنْ جَابِرٍ، يَرْفَعُهُ، فِي الْحَامِلِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا، قَالَ: لاَ نَفَقَةَ لَهَا. أَخْرَجَهُ الْبَيْهَقِيُّ، وَرِجَالُهُ ثِقَاتٌ، لَكِن قَالَ: الْمَحْفُوظُ وَقْفُهُ، وَثَبَتَ نَفْيُ النَّفَقَةِ فِي حَدِيثِ فَاطِمَةَ بِنْتِ قَيْسٍ، كَمَا تَقَدَّمَ، رَوَاهُ مُسْلِمٌ.

**982.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The upper hand is better than the lower one, and one of you should spend first on those he is responsible for providing them; lest a woman[3]

(٩٨٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْيَدُ الْعُلْيَا خَيْرٌ مِنَ الْيَدِ السُّفْلَى، وَيَبْدَأُ أَحَدُكُمْ بِمَنْ يَعُولُ، تَقُولُ الْمَرْأَةُ: أَطْعِمْنِي أَوْ**

---

[1] This makes us known that it is an enormous sin to not to cater to the needs of one's kith and kin. The ones whose expenditure is binding on a man are his wife, children, his male and female slaves and his parents.

[2] A non-pregnant, thrice divorced woman, by a common consensus, is neither entitled to a house nor expenses. A pregnant, thrice divorced woman is only entitled to her living expenses and not the house. A non-pregnant widow is only entitled to a house and not the expenses. A pregnant widow is entitled to a house, there is a difference of opinions among the scholars whether or not is she entitled to her living expenses. The discussion concerning the boarding and lodging prolongs as long the woman is in the days of *'Iddah* (i.e., in seclusion). Once her *'Iddah* period is over, she is not entitled to anything at all.

[3] This *Hadîth* tells us that in case a man does not or cannot meet the living expenses of his spouse, there must be a separation between them on the condition that his spouse demands such a separation too. But if a woman is still willing to pull on with him through the thick and thin of it, great shall be her reward.

would say, 'Feed me or divorce me.'" [Reported by Ad-Dâraqutni, and its chain of narrators is *Hasan*].

طَلِّقْنِي». رَوَاهُ الدَّارَقُطْنِيُّ، وَإِسْنَادُهُ حَسَنٌ.

**983.** Narrated Sa'îd bin Al-Musaiyab regarding a man who finds nothing to spend on his wife: "They are to be separated." Sa'îd bin Mansûr on Sufyân's[1] authority from Abû Az-Zinâd[2] said, "I asked Sa'îd (bin Al-Musaiyab), 'Does this pertain to *Sunna*?' And he replied, 'Yes, it pertains to *Sunna*?'" [This *Hadîth* is a strong *Mursal*].

(٩٨٣) وَعَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، فِي الرَّجُلِ لاَ يَجِدُ مَا يُنْفِقُ عَلَىٰ أَهْلِهِ، قَالَ: يُفَرَّقُ بَيْنَهُمَا. أَخْرَجَهُ سَعِيدُ بْنُ مَنْصُورٍ، عَنْ سُفْيَانَ، عَنْ أَبِي الزِّنَادِ، عَنْهُ، قَالَ: قُلْتُ لِسَعِيدٍ: سُنَّةٌ؟ فَقَالَ: سُنَّةٌ. وَهٰذَا مُرْسَلٌ قَوِيٌّ.

**984.** Narrated 'Umar رضي الله عنه: He dispatched messages to the commanders of the armies regarding some men (soldiers) who have been absent from their wives, that they should seize them till they spend on their wives or divorce them; and if they divorce them they should then send the maintenance[3] which they have withheld. [Ash-Shâfi'î reported it, then Al-Baihaqi with a *Hasan* chain of narrators].

(٩٨٤) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ كَتَبَ إِلَىٰ أُمَرَاءِ الأَجْنَادِ، فِي رِجَالٍ غَابُوا عَنْ نِسَائِهِمْ: أَنْ يَأْخُذُوهُمْ بِأَنْ يُنْفِقُوا، أَوْ يُطَلِّقُوا، فَإِنْ طَلَّقُوا بَعَثُوا بِنَفَقَةِ مَا حَبَسُوا. أَخْرَجَهُ الشَّافِعِيُّ ثُمَّ الْبَيْهَقِيُّ بِإِسْنَادٍ حَسَنٍ.

**985.** Narrated Abû Huraira رضي الله عنه: A man came to the Prophet صلى الله عليه وسلم and said, "I have a *Dinâr*." He said, "Spend it on yourself." He said, "I have another." He replied, "Spend it on your children." He said, "I have

(٩٨٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! عِنْدِي دِينَارٌ؟ قَالَ: «أَنْفِقْهُ عَلَىٰ نَفْسِكَ»، قَالَ: عِنْدِي؟ آخَرُ؟

[1] Sufyân bin Sa'îd bin Masrûq Ath-Thawri Abû 'Abdullâh Al-Kufi was one of the eminent *Imâm* whose imamate, accuracy, memorization and knowledge of *Ahadîth*, and his asceticism was unanimously confirmed. He was born in 77H. and died in Basra in the year 161 H.

[2] His real name is 'Abdullâh bin Dhakwân, Al-Amawi by clientship of Al-Madîna. He was among the eminent *Imâm*. Ahmad said, "He was reliable and a commander of the believers." Al-Bukhâri said, "The most authentic chain of narration is: Abû Az-Zinâd narrated from Al-A'raj from Abû Huraira (who narrated from the Prophet صلى الله عليه وسلم)." He died in the year 130 H or 131 H.

[3] Another *Hadîth* states that the money which one spends on his own kith and kin is of a far greater value in terms of reward than the one spent on the poor strangers.

another," He replied, "Spend it on your wife." He said, "I have another." He replied, "Spend it on your servant." He said, "I have another." He replied, "You know best (what to do with it)." [Ash-Shâfi'i and Abû Dâ'ud reported it; the wording is of Abû Dâ'ud; An-Nasâ'i and Al-Hâkim reported it with preceding the wife to the children].

قَالَ: «أَنفِقْهُ عَلَىٰ وَلَدِكَ»، قَالَ: عِنْدِيْ آخَرُ؟ قَالَ: «أَنفِقْهُ عَلَىٰ أَهْلِكَ»، قَالَ: عِنْدِيْ آخَرُ؟ قَالَ: «أَنفِقْهُ عَلَىٰ خَادِمِكَ»، قَالَ: عِنْدِي آخَرُ؟ قَالَ: «أَنْتَ أَعْلَمُ». أَخْرَجَهُ الشَّافِعِيُّ وَأَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَأَخْرَجَهُ النَّسَائِيُّ وَالْحَاكِمُ بِتَقْدِيمِ الزَّوْجَةِ عَلَى الْوَلَدِ.

**986.** Narrated Bahz bin Hakim on his father's authority from his grandfather (رضي الله عنهم): I asked, "O Allâh's Messenger, to whom should I show kindness?" He replied. "Your mother." I asked, "Who comes next?" He replied, "Your mother." I asked, "Who comes next?" He replied, "Your mother." I asked, "Who comes next?" He replied, "Your father, then your relatives in order of relationship." [Abû Dâ'ud and At-Tirmidhi reported it; the latter graded it *Hasan*].

(٩٨٦) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ عَنْ جَدِّهِ، قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! مَنْ أَبَرُّ؟ قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أُمَّكَ»، قُلْتُ: ثُمَّ مَنْ؟ قَالَ: «أَبَاكَ، ثُمَّ الأَقْرَبَ فَالأَقْرَبَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

## Chapter 14
## *AL-HIDÂNA*[1]
## (GUARDIANSHIP)

## ١٤ - بَابُ الحِضَانَةِ

**987.** Narrated 'Abdullâh bin 'Amr رضي الله عنهما: A woman said, "O Allâh's Messenger, I carried my son in my

(٩٨٧) عَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ امْرَأَةً قَالَتْ: يَا رَسُولَ

[1] *Hidâna* literally means preservation and safety. According to the terminology of the Islâmic law, it implies the proper upbringing and care accorded to an insensible minor. If a man divorces his wife in such a condition that both of them are Muslims and have small children, then the woman is stronger in her right to claim the custody of her children. The man cannot deprive her of the children by snatching them away from her per force. In case such a child happens to be a milk-sucking infant, the expenses concerning her livelihood and the infant's clothing shall have to be borne by the man until the end of the child's infancy period. Once this span is over, the expenses of the child shall be the liability of his father regardless whether this child lives with his mother or father. As long as the woman does not remarry, such a child shall remain under her custody until he acquires his adulthood. In case she marries one of the relatives of the child, he will still continue to be in her custody, but if she marries a stranger, his custody shall be transferred to his father.

womb, suckled him my breasts and held him on my lap, yet his father has divorced me and wants to take him away from me." Allâh's Messenger صلى الله عليه وسلم replied her, "You have more right to him as long as you do not marry." [Reported by Ahmad and Abû Dâ'ud, Al-Hâkim graded it *Sahih* (sound)].

اللهِ! إِنَّ ٱبْنِي هٰذَا، كَانَ بَطْنِي لَهُ وِعَاءً، وَثَدْيِي لَهُ سِقَاءً، وَحِجْرِي لَهُ حِوَاءً، وَإِنَّ أَبَاهُ طَلَّقَنِي، وَأَرَادَ أَنْ يَنْتَزِعَهُ مِنِّي، فَقَالَ لَهَا رَسُولُ اللهِ ﷺ: «**أَنْتِ أَحَقُّ بِهِ، مَا لَمْ تَنْكِحِي**». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**988.** Narrated Abû Huraira رضي الله عنه: A woman said, "O Allâh's Messenger, my husband wants to take away my son, and yet he has availed me and provided me with drinking water from Abû 'Inaba's well." Then her husband came and the Prophet صلى الله عليه وسلم said, "Lad, this is your father and this is your mother, so take whoever of them you wish by the hand." He took his mother's hand and she went off with him.[1] [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi graded it *Sahih* (sound)].

(٩٨٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعَالَى عَنْهُ، أَنَّ امْرَأَةً قَالَتْ: يَا رَسُولَ اللهِ! إِنَّ زَوْجِي يُرِيدُ أَنْ يَذْهَبَ بِابْنِي، وَقَدْ نَفَعَنِي، وَسَقَانِي مِنْ بِئْرِ أَبِي عِنَبَةَ، فَجَاءَ زَوْجُهَا، فَقَالَ النَّبِيُّ ﷺ: «**يَا غُلَامُ! هٰذَا أَبُوكَ، وَهٰذِهِ أُمُّكَ، فَخُذْ بِيَدِ أَيِّهِمَا شِئْتَ، فَأَخَذَ بِيَدِ أُمِّهِ، فَانْطَلَقَتْ بِهِ**». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ.

**989.** Narrated Râfi' bin Sinân[2] (رضي الله عنه): He accepted Islâm but his wife refused to accept it. The Prophet صلى الله عليه وسلم then made the mother sit down to a side and the father to another side and made the son sit down between them. He (the son) then inclined to his mother, the Prophet صلى الله عليه وسلم then

(٩٨٩) وَعَنْ رَافِعِ بْنِ سِنَانٍ، أَنَّهُ أَسْلَمَ، وَأَبَتِ امْرَأَتُهُ أَنْ تُسْلِمَ، فَأَقْعَدَ النَّبِيُّ ﷺ الْأُمَّ نَاحِيَةً، وَالْأَبَ نَاحِيَةً، وَأَقْعَدَ الصَّبِيَّ بَيْنَهُمَا، فَمَالَ إِلَى أُمِّهِ، فَقَالَ: «**اللَّهُمَّ اهْدِهِ، فَمَالَ إِلَى أَبِيهِ، فَأَخَذَهُ**». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ،

---

[1] According to the prior *Hadîth*, a mother has been declared as more rightful in keeping the custody of her children, whereas this *Hadîth* gives an option to the child that he may choose to live with either of his parents according to his own free will and choice. The reason for giving him such an option is that the child was grown up and sensible enough to decide as to which side his bread is buttered and where he could possibly be better off. Thus we understand that if a child is grown up and does not need the care of his parents in the matters related to his safety, he can opt for either of his parents.

[2] Abul-Hakam Al-Ansâri Al-Ausi Al-Madani was a *Sahâbi*. Abul-Qasim bin Salâm said in *Al-Ansâb* that he is a descendant of Al-'Atbun who is 'Aamir bin Tha'laba.

said, "O Allâh, give him guidance." Then he inclined to his father and he took him.[3] [Abû Dâ'ud and An-Nasâ'i reported it; Al-Hâkim graded it *Sahih* (sound)].

وَصَحَّحَهُ الْحَاكِمُ.

**990.** Narrated Al-Barâ bin 'Azib رضي الله عنهما: The Prophet صلى الله عليه وسلم gave ruling regarding Hamza's daughter in favour of her maternal aunt, saying, "The maternal aunt is in the position of the mother." [Al-Bukhâri reported it].

(٩٩٠) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَضَى فِي ابْنَةِ حَمْزَةَ لِخَالَتِهَا، وَقَالَ: «الْخَالَةُ بِمَنْزِلَةِ الأُمِّ». أَخْرَجَهُ الْبُخَارِيُّ.

Ahmad reported the aforesaid *Hadîth* from that of 'Ali رضي الله عنه, he said, "The little girl must be with her maternal aunt for the maternal aunt is (same as) a mother."

وَأَخْرَجَهُ أَحْمَدُ مِنْ حَدِيثِ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: وَالْجَارِيَةُ عِنْدَ خَالَتِهَا فَإِنَّ الْخَالَةَ وَالِدَةٌ.

**991.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one's servant serves him with his food, if he does not make him sit down with him (and eat) he should give him one or two morsels[1] (of it)." [Agreed upon; and this is Al-Bukhâri's version].

(٩٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَتَى أَحَدَكُمْ خَادِمُهُ بِطَعَامِهِ فَإِنْ لَمْ يُجْلِسْهُ مَعَهُ فَلْيُنَاوِلْهُ لُقْمَةً أَوْ لُقْمَتَيْنِ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**992.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "A woman was punished on account of a cat which she captivated till it died, so she entered Hell.[2] She did not either feed or give it water when she had captivated it, nor did she let it out so that it may eat the things that creep on the earth." [Agreed upon].

(٩٩٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «عُذِّبَتِ امْرَأَةٌ فِي هِرَّةٍ سَجَنَتْهَا حَتَّى مَاتَتْ، فَدَخَلَتِ النَّارَ فِيهَا، لَا هِيَ أَطْعَمَتْهَا، وَسَقَتْهَا، إِذْ هِيَ حَبَسَتْهَا، وَلَا هِيَ تَرَكَتْهَا تَأْكُلُ مِنْ خَشَاشِ الأَرْضِ». مُتَّفَقٌ عَلَيْهِ.

---

[3] This *Hadîth* makes it clear that even being a polytheist does not nullify the right of a mother on her child. But once the child comes of age, he will not continue to live with her.

[1] This *Hadîth* tells us that a master should necessarily give something out of his food to his servant.

[2] This *Hadîth* inculcates that bearing the expenses of the pet animals is also the liability of the master. In case he fails to cover those liabilities, he shall be punished accordingly.

# 9. THE BOOK OF *JINAYAT*[1] (OFFENSES)

# ٩ - كِتَابُ الْجِنَايَاتِ

**993.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The blood of a Muslim who testifies that, 'there is no god but Allâh and that I am Allâh's Messenger' may not be lawfully shed but for one of three reasons:[2] a married man who commits fornication; a life for a life; and one who turns away from his religion and abandons the community." [Agreed upon].

(٩٩٣) عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ يَحِلُّ دَمُ امْرِىءٍ مُسْلِمٍ يَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ، وَأَنِّي رَسُولُ اللهِ إِلاَّ بِإِحْدَى ثَلاَثٍ: الثَّيِّبُ الزَّانِي، وَالنَّفْسُ بِالنَّفْسِ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ لِلْجَمَاعَةِ». مُتَّفَقٌ عَلَيْهِ.

**994.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "A Muslim may lawfully be killed only for one of three behaviours: a married man who commits fornication, in which case he should be stoned to death; a man who kills a Muslim deliberately, for which he should be killed; and a man who apostatizes from Islâm and fights with Allâh and His Messenger, in which case he should be killed, or crucified, or banished from the land." [Reported by Abû Dâ'ud and An-Nasâ'i; Al-Hâkim graded it *Sahih* (sound)].

(٩٩٤) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنْ رَسُولِ اللهِ ﷺ قَالَ: «لاَ يَحِلُّ قَتْلُ مُسْلِمٍ إِلاَّ فِي إِحْدَى ثَلاَثِ خِصَالٍ: زَانٍ مُحْصَنٌ فَيُرْجَمُ، وَرَجُلٌ يَقْتُلُ مُسْلِماً مُتَعَمِّداً فَيُقْتَلُ، وَرَجُلٌ يَخْرُجُ مِنَ الإِسْلاَمِ، فَيُحَارِبُ اللَّهَ وَرَسُولَهُ، فَيُقْتَلُ، أَوْ يُصْلَبُ، أَوْ يُنْفَى مِنَ الأَرْضِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**995.** Narrated 'Abdullâh bin Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(٩٩٥) وَعَنْ عَبْدِاللهِ بْنِ مَسْعُودٍ رَضِيَ

[1] *Jinayât* is the plural form of *Jinaya* which means, 'inflicting a bodily harm on someone' whether the same is an intentional one or done by mistake.

[2] It is not permissible to kill someone who just once pronounces the Testimony of Faith. A married adulterer, murderer and an apostate are however exceptions. One *Hadîth* states that it is permissible to kill someone in self-defence in case he attacks somebody with the intention of life-taking. This is the fourth one within the category of exceptions. The words 'life' against 'life' which are mentioned in this *Hadîth* clearly demonstrate that it is permissible and fair to kill (in retaliation) a man against a woman, a freeman against a slave and a believer against a non-believer. Even though there is a difference of opinions concerning this, the same sounds proper.

اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ، يَوْمَ الْقِيَامَةِ، فِي الدِّمَاءِ». مُتَّفَقٌ عَلَيْهِ.

"Shedding of blood will be the first matter[1] on which Judgement will be given on the Day of Resurrection." [Agreed upon].

(٩٩٦) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَتَلَ عَبْدَهُ قَتَلْنَاهُ، وَمَنْ جَدَعَ عَبْدَهُ جَدَعْنَاهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَهُوَ مِنْ رِوَايَةِ الْحَسَنِ الْبَصْرِيِّ عَنْ سَمُرَةَ، وَقَدِ اخْتُلِفَ فِي سَمَاعِهِ مِنْهُ.

**996.** Narrated Samura رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone kills his slave we will kill him, and if anyone maims his slave we will maim him."[2] [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi graded it *Hasan*, and it is from Hasan Al-Basri's version on the authority of Samura, but it was disagreed upon whether he has heard from Samura or not].

وَفِي رِوَايَةِ أَبِي دَاوُدَ وَالنَّسَائِيِّ: «وَمَنْ خَصَى عَبْدَهُ خَصَيْنَاهُ». وَصَحَّحَ الْحَاكِمُ هَذِهِ الزِّيَادَةَ.

Abû Dâ'ud and An-Nasâ'i added in another version: "If anyone castrates his slave, we will castrate him." [Al-Hâkim authenticated this addition].

(٩٩٧) وَعَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لَا يُقَادُ الْوَالِدُ بِالْوَلَدِ». رَوَاهُ أَحْمَدُ وَالتِّرْمِذِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَالْبَيْهَقِيُّ، وَقَالَ التِّرْمِذِيُّ: إِنَّهُ مُضْطَرِبٌ.

**997.** Narrated 'Umar bin Al-Khattâb رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "A father is not to be killed for a son."[3] [Reported by Ahmad, At-Tirmidhi and Ibn Mâjah; Ibn Al-Jârûd and Al-Baihaqi graded it *Sahih* (sound), but At-Tirmidhi said, "It is *Muztarib* (confounding)."]

[1] This explains that committing a murder is one of the greatest sinful acts. It is a general rule that the biggest task is undertaken first; and so long as the murder is the biggest crime within the context of one's obligations towards people, its accountability will start first on the Day of Judgement. Likewise, *Salât* features the foremost in relation to a slave's obligations towards Allâh, hence it's accountability will also start first.

[2] The scholars unanimously agree that a slave may be decapitated in retaliation for the murder of a freeman. But there is a difference of opinions as to whether or not a freeman be decapitated in retaliation for the murder of a slave.

[3] The majority of earlier scholars are of the opinion that if a father kills his son, he shall not be put to death in retaliation for it. However, he cannot escape the penalty thus incurred in the Hereafter. The reason for this discriminatory treatment is that the father is the source of his son's existence and a son is not the source of his father's existence and therefore, he posses no right to put an end of his father's life.

**998.** Narrated Abû Juhaifa (رضى الله عنه): I asked 'Ali (رضى الله عنه), "Have you any Revelation other than the Qur'ân?"[1] He replied, "No, by Him Who split the seed and created the soul, (I have nothing) but the understanding which Allâh the Most High endows a man regarding the Qur'ân and what is in this document." I asked, "What does this document contain?" He replied, "Blood money, the setting free of a prisoner of war (P.O.W.), and that a Muslim should not be killed for a *Kafir*."[2] [Reported by Al-Bukhâri].

(٩٩٨) وَعَنْ أَبِي جُحَيْفَةَ قَالَ: قُلْتُ لِعَلِيٍّ: هَلْ عِنْدَكُمْ شَيْءٌ مِّنَ الْوَحْيِ، غَيْرَ الْقُرْآنِ؟ قَالَ: لَا، وَالَّذِي فَلَقَ الْحَبَّةَ، وَبَرَأَ النَّسَمَةَ، إِلَّا فَهْمٌ يُعْطِيهِ اللّٰهُ تَعَالَى رَجُلاً فِي الْقُرْآنِ، وَمَا فِي هٰذِهِ الصَّحِيفَةِ، قُلْتُ: وَمَا فِي هٰذِهِ الصَّحِيفَةِ؟ قَالَ: اَلْعَقْلُ، وَفِكَاكُ الْأَسِيرِ، وَأَنْ لَا يُقْتَلَ مُسْلِمٌ بِكَافِرٍ. رَوَاهُ الْبُخَارِيُّ.

Ahmad, Abû Dâ'ud and An-Nasâ'i reported the aforesaid *Hadîth* through another authority from 'Ali (رضى الله عنه) and he said in it, "The lives of all Muslims are equal; the lowliest of them can guarantee their protection, and they are one band against others. A Muslim should not be killed for a *Kafir*, nor should one who has been given a covenant be killed while his covenant holds." [Al-Hâkim graded it *Sahih* (sound)].

وَأَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ مِنْ وَجْهٍ آخَرَ عَنْ عَلِيٍّ، وَقَالَ فِيهِ: «اَلْمُؤْمِنُونَ تَتَكَافَأُ دِمَاؤُهُمْ، وَيَسْعَى بِذِمَّتِهِمْ أَدْنَاهُمْ، وَهُمْ يَدٌ عَلَى مَنْ سِوَاهُمْ، وَلَا يُقْتَلُ مُؤْمِنٌ بِكَافِرٍ، وَلَا ذُو عَهْدٍ فِي عَهْدِهِ». صَحَّحَهُ الْحَاكِمُ.

---

[1] Abû Juhaifah asked this question because one of the Shi'ite sects was of the view that even though Muhammad صلى الله عليه وسلم did have the Prophethood, part of the Revelations was also shared by his family members. Abû Juhaifah wanted this view of theirs to be refuted.

[2] This *Hadîth* tells us that a Muslim should not be killed in retaliation for the murder of a disbeliever. In case such a disbeliever happens to belong to a state which is already at war with the Muslim state, a Muslim shall not be killed in retaliation for his murder; such is the consensus among the scholars. This is owing to the fact that an Islâmic government is not accountable to it. But if such a disbeliever belongs to a state which has entered a covenant with the Islâmic state, a Muslim (by a common consensus of the scholars) shall be executed in retaliation for his murder. In case the disbeliever in question happens to be a *Dhimmi* (a tax-paying non-Muslim who lives within the Islâmic state and who is considered to be a liability to the Islâmic state), the three major *Imâm* are of the opinion that a Muslim shall not be executed in retaliation for his murder whereas Imâm Abu Hanifa is of the view that a Muslim must be executed for his murder.

**999.** Narrated Anas bin Mâlik رضى الله عنه: A girl was found with her head crushed between two stones and they asked her, "Who has done this to you? Is it so-and-so, or so-and-so," till they mentioned a Jew, whereupon she gave sign with her head. The Jew was fetched, and when he admitted it, Allâh's Messenger صلى الله عليه وسلم gave command that his head should be crushed between two stones.[1] [Agreed upon; the version being Muslim's].

(٩٩٩) وَعَنْ أَنَسِ بْنِ مَالِكٍ، رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ جَارِيَةً وُجِدَ رَأْسُهَا قَدْ رُضَّ بَيْنَ حَجَرَيْنِ، فَسَأَلُوهَا، مَنْ صَنَعَ بِكِ هٰذَا؟ فُلَانٌ؟ فُلَانٌ؟ حَتَّى ذَكَرُوا يَهُودِيًّا فَأَوْمَأَتْ بِرَأْسِهَا، فَأُخِذَ الْيَهُودِيُّ، فَأَقَرَّ، فَأَمَرَ رَسُولُ اللَّهِ ﷺ أَنْ يُرَضَّ رَأْسُهُ بَيْنَ حَجَرَيْنِ. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**1000.** Narrated 'Imrân bin Husain رضي الله عنهما: When the slave of some poor[2] people cut off the ear of a slave of some rich people and they came to the Prophet صلى الله عليه وسلم, he appointed no compensation for them. [Ahmad and *Ath-Thalatha* reported it with a sound chain of narrators].

(١٠٠٠) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ غُلَاماً لأُنَاسٍ فُقَرَاءَ قَطَعَ أُذُنَ غُلَامٍ لأُنَاسٍ أَغْنِيَاءَ، فَأَتَوُا النَّبِيَّ ﷺ فَلَمْ يَجْعَلْ لَهُمْ شَيْئاً. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ بِإِسْنَادٍ صَحِيحٍ.

**1001.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (رضى الله عنهم): A man speared the knee of another with a horn and the latter went to the Prophet صلى الله عليه وسلم and said, "Retaliate for me." He

(١٠٠١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَجُلاً طَعَنَ رَجُلاً بِقَرْنٍ، فِي رُكْبَتِهِ، فَجَاءَ إِلَى النَّبِيِّ ﷺ، فَقَالَ: أَقِدْنِي، فَقَالَ: حَتَّى تَبْرَأَ، ثُمَّ جَاءَ إِلَيْهِ، فَقَالَ: أَقِدْنِي،

[1] This *Hadith* clarifies that a man shall be executed for the murder of a woman. There is no discrimination in terms of blood between the poor and the rich or between the younger and the elder.

[2] A slave cut off an ear of another slave. Now the people had only two options. Either retaliation be meted out to the slave, or blood money be paid to the victim of this inequity. The masters of the victimized slave did not ask for *Qisâs* (retaliation) but solicited a blood money. The master of the slave who committed the crime did not have anything to pay to the claimants and a slave does not own anything by himself and hence the claimants consequently failed to get anything. This clarifies that a beggar is not subjected to the obligation of paying the blood money and bears no responsibility to pay any indemnity to anyone and thus his family members are also free from any such obligation. Paying indemnity becomes an obligation on the family members only on the condition that they are expecting to gain something out of the legacy of the concerned person and as long as the person in question himself has no legacy, the question of paying indemnity does not arise.

فَأَقَادَهُ، ثُمَّ جَاءَ إِلَيْهِ، فَقَالَ؛ يَا رَسُولَ اللهِ! عَرَجْتُ، فَقَالَ: قَدْ نَهَيْتُكَ فَعَصَيْتَنِي، فَأَبْعَدَكَ اللَّهُ، وَبَطَلَ عَرَجُكَ، ثُمَّ نَهَى رَسُولُ اللهِ ﷺ أَنْ يُقْتَصَّ مِنْ جُرْحٍ حَتَّى يَبْرَأَ صَاحِبُهُ. رَوَاهُ أَحْمَدُ وَالدَّارَقُطْنِيُّ، وَأُعِلَّ بِالْإِرْسَالِ.

replied, "Wait till you recover." He afterwards went to him and said, "Retaliate for me," and he allowed him to retaliate upon the offender. He latter went to him and said, "O Allâh's Messenger, I have become lame," and he replied, "I have forbidden you, but you disobeyed me, so may Allâh curse you and render your lameness worthless."[1] Then Allâh's Messenger صلى الله عليه وسلم forbade the execution of a retaliation until the victim recovers. [Reported by Ahmad and Ad-Dâraqutni, but it was found defective for being *Mursal*].

(١٠٠٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: اقْتَتَلَتِ امْرَأَتَانِ مِنْ هُذَيْلٍ، فَرَمَتْ إِحْدَاهُمَا الْأُخْرَى بِحَجَرٍ، فَقَتَلَتْهَا وَمَا فِي بَطْنِهَا، فَاخْتَصَمُوا إِلَى رَسُولِ اللهِ ﷺ، فَقَضَى رَسُولُ اللهِ ﷺ أَنَّ دِيَةَ جَنِينِهَا غُرَّةٌ: عَبْدٌ أَوْ وَلِيدَةٌ، وَقَضَى بِدِيَةِ الْمَرْأَةِ عَلَى عَاقِلَتِهَا، وَوَرَّثَهَا وَلَدَهَا وَمَنْ مَعَهُمْ، فَقَالَ حَمَلُ بْنُ النَّابِغَةِ الْهُذَلِيُّ: يَا رَسُولَ اللهِ! كَيْفَ

**1002.** Narrated Abû Huraira رضى الله عنه: Two women of Hudhail fought and one of them threw a stone at the other killing both her and what was in her womb. So they brought the dispute before Allâh's Messenger صلى الله عليه وسلم. Then Allâh's Messenger صلى الله عليه وسلم gave judgement that the blood money for her unborn child[2] should be a male or female slave of the best quality, he gave judgement that the woman responsible for killing should pay her (the victim's) blood money,

[1] This *Hadith* informs us that one must not accept any compensatory payment until the wounds are completely healed up and must wait until such a time that he absolutely recovers from those injuries. The wisdom behind it is based on the fact that the said wound may either prove to be a negligible one or it may deteriorate into being a fatal one. Be it as it may, the compensatory payment in both of the said cases is bound to be different from each other.

[2] In case the fetus dies before birth inside the womb of a woman or comes out still-born at the time of parturition, the compensation thus incurred shall be an amount equal to the price of a male or a female slave. If the infant dies after birth, the compensation payable shall be the price of a hundred camels. A quasi-deliberate murder or a murder by error do not require *Qisâs*, as such cases necessarily call for blood money. In the case of a deliberate murder, the heirs of the victim may either opt for *Qisâs* or the blood money. The Arabic word *'Aaqila* is translated as *'Asaba* (next of kin), which means that the compensation is not obligation on a murderer alone but it also lies on his net of kin and immediate relations.

and he made her sons and those who were with them her heirs. Then Haml[1] bin An-Nâbigha Al-Hudhali said, "O Allâh's Messenger, how should we be fined for one who has not eaten or drunk, or raised his voice, and a compensation is not to be paid for such." Allâh's Messenger صلى الله عليه وسلم then said, "This man simply belongs to the *Kuhhân*[2] for the rhyming of words that he has used." [Agreed upon].

نَغْرَمُ مَنْ لاَ شَرِبَ وَلاَ أَكَلَ؟ وَلاَ نَطَقَ وَلاَ اسْتَهَلَّ؟ فَمِثْلُ ذٰلِكَ يُطَلُّ، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّمَا هٰذَا مِنْ إِخْوَانِ الْكُهَّانِ، مِنْ أَجْلِ سَجْعِهِ الَّذِي سَجَعَ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abû Dâ'ud and An-Nasâ'i reported the aforesaid *Hadîth* from Ibn 'Abbâs that 'Umar رضي الله عنه asked, "Who witnessed the judgement of Allâh's Messenger صلى الله عليه وسلم regarding the unborn child?" Haml bin An-Nâbigha stood up and said, "I was standing before two women and one of them struck the other." [The narrator narrated the *Hadîth* in brief; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

وَأَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ، أَنَّ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، سَأَلَ مَنْ شَهِدَ قَضَاءَ رَسُولِ اللهِ ﷺ فِي الْجَنِينِ قَالَ: فَقَامَ حَمَلُ بْنُ النَّابِغَةِ، فَقَالَ: كُنْتُ بَيْنَ امْرَأَتَيْنِ، فَضَرَبَتْ إِحْدَاهُمَا الْأُخْرَى، فَذَكَرَهُ مُخْتَصَراً وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**1003.** Narrated Anas رضي الله عنه: Ar-Rubaiyi' daughter of An-Nadr[3] — his paternal aunt — broke the front tooth of a girl and they (the people of Ar-Rubaiyi') asked the girl's people to pardon her, but they refused; then they offered a fine, but they refused, and they went to Allâh's Messenger صلى الله عليه وسلم, but they refused any offer but retaliation. So Allâh's Messenger صلى الله عليه وسلم ordered retaliation to be

(١٠٠٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ الرُّبَيِّعَ بِنْتَ النَّضْرِ - عَمَّتَهُ - كَسَرَتْ ثَنِيَّةَ جَارِيَةٍ، فَطَلَبُوا إِلَيْهَا الْعَفْوَ، فَأَبَوْا، فَعَرَضُوا الْأَرْشَ، فَأَبَوْا، فَأَتَوْا رَسُولَ اللهِ ﷺ، فَأَبَوْا، إِلاَّ الْقِصَاصَ، فَأَمَرَ رَسُولُ اللهِ ﷺ بِالْقِصَاصِ، فَقَالَ أَنَسُ بْنُ النَّضْرِ: يَا رَسُولَ اللهِ: أَتُكْسَرُ ثَنِيَّةُ الرُّبَيِّعِ؟ لاَ، وَالَّذِي بَعَثَكَ بِالْحَقِّ، لاَ

[1] Haml bin Mâlik bin An-Nâbigha Al-Hudhali Abû Nadla Al-Basri was a *Sahâbi*.

[2] i.e., plural of *Kâhin*, meaning a soothsayer.

[3] Ar-Rubaiyi', daughter of An-Nadr bin Damdam bin Zaid bin Harâm, was the paternal aunt of Anas bin Mâlik, the servant of the Prophet صلى الله عليه وسلم and the mother of Hâritha bin Surâqa who was martyred at the battle of Badr.

taken. Then Anas bin An-Nadr[1] said, "O Allâh's Messenger, will the front tooth of Ar-Rubaiyi' be broken? No, by Him Who has sent you with the Truth, her front tooth will not be broken." Allâh's Messenger صلى الله عليه وسلم then replied, "O Anas, Allâh's Decree is retaliation." But the people agreed to pardon her, so Allâh's Messenger صلى الله عليه وسلم said, "Among Allâh's slaves are those who, if one adjured Allâh, He would consent[2] to it." [Agreed upon; the wording being of Al-Bukhâri].

تُكْسَرُ ثَنِيَّتُهَا، فَقَالَ رَسُولُ اللهِ ﷺ: «يَا أَنَسُ! كِتَابُ اللهِ الْقِصَاصُ»، فَرَضِيَ الْقَوْمُ، فَعَفَوْا، فَقَالَ رَسُولُ اللهِ ﷺ: «إِنَّ مِنْ عِبَادِ اللهِ مَنْ لَوْ أَقْسَمَ عَلَى اللهِ لأَبَرَّهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**1004.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone is killed in error,[3] or by throwing with a stone, or with a slash, or with a stick, then the compensation for accidental death is due. But if anyone kills someone deliberately, retaliation is due; and if anyone tries to prevent it Allâh's curse will rest on him." [Abû Dâ'ud, An-Nasâ'i and Ibn

(١٠٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قُتِلَ فِي عِمِّيًّا، أَوْ فِي رِمِّيًّا بِحَجَرٍ أَوْ سَوْطٍ أَوْ عَصاً، فَعَقْلُهُ عَقْلُ الْخَطَإِ، وَمَنْ قُتِلَ عَمْداً، فَهُوَ قَوَدٌ، وَمَنْ حَالَ دُونَهُ، فَعَلَيْهِ لَعْنَةُ اللهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ بِإِسْنَادٍ قَوِيٍّ.

---

[1] He was the brother of Ar-Rubaiyi' and the paternal uncle of Anas bin Mâlik. He did not participate in the battle of Badr and used to regret about that, so on the day of the battle of Uhud, when some Muslims fled, he went forward towards the defence line of the *Mushrikûn* while expressing to Allâh his sorriness of what the Muslims did and saying, "I can smell the odour of the *Janna* before the mountain of Uhud." He then fought till he was martyred.

[2] This utterance made by Anas رضي الله عنه was not to render *Shari'a* commandment null and void, but in fact he went to exaggeratedly laborious lengths in interceding on behalf of the concerned person and he had an absolute faith in Allâh's mercy. Had it been otherwise, the Prophet صلى الله عليه وسلم would never have commended him, but would have denounced and repudiated him instead. This *Hadîth* further elaborates that the loss of teeth also involves *Qisâs*.

[3] Being killed in the blindness is meant for a slain person whose murder is unknown or the method of his homicide can not be established. Similarly, if someone gets killed in a riot, no *Qisâs* is involved here too, for the ruling which applies here is *Diya* (i.e., blood money). In case someone dies as a result of being struck by a bludgeon, scourge or stone, such a murder is regarded as quasi-deliberate which also involves the blood money.

Mâjah reported it with a strong chain of narrators].

**1005.** Narrated Ibn 'Umar رضى الله عنهما: The Prophet صلى الله عليه وسلم said, "If a man seizes a man and another kills him, the one who killed him is to be killed and the one who seized[1] him is to be imprisoned." [Ad-Dâraqutni reported it as *Mausûl* (connected) and *Mursal* (disreferred); Ibn Al-Qattân graded it *Sahih* (sound), and its narrators are reliable, but Al-Baihaqi preponderated that it is *Mursal*].

(١٠٠٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «إِذَا أَمْسَكَ الرَّجُلُ الرَّجُلَ، وَقَتَلَهُ الآخَرُ، يُقْتَلُ الَّذِي قَتَلَهُ، وَيُحْبَسُ الَّذِي أَمْسَكَ». رَوَاهُ الدَّارَقُطْنِيُّ مَوْصُولاً وَمُرْسَلاً، وَصَحَّحَهُ ابْنُ الْقَطَّانِ، وَرِجَالُهُ ثِقَاتٌ، إِلاَّ أَنَّ الْبَيْهَقِيَّ رَجَّحَ الْمُرْسَلَ.

**1006.** Narrated 'Abdur-Rahman[2] bin Al-Bailamâni: The Prophet صلى الله عليه وسلم, killed a Muslim for a man who had made a covenant,[3] and said, "I am the most worthy of those who guarantee their protection." [Abdur-Razzâq reported it thus in a *Mursal* (disreferred) form, but Ad-Dâraqutni graded it *Mausul* (connected) by mentioning Ibn 'Umar in it; and its connected chain of narrators is feeble].

(١٠٠٦) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ الْبَيْلَمَانِيِّ، أَنَّ النَّبِيَّ ﷺ قَتَلَ مُسْلِماً بِمُعَاهِدٍ، وَقَالَ: «أَنَا أَوْلَى مَنْ وَفَّى بِذِمَّتِهِ». أَخْرَجَهُ عَبْدُ الرَّزَّاقِ هٰكَذَا مُرْسَلاً، وَوَصَلَهُ الدَّارَقُطْنِيُّ بِذِكْرِ ابْنِ عُمَرَ فِيهِ، وَإِسْنَادُ الْمَوْصُولِ وَاهٍ.

---

[1] This *Hadîth* proves that a person who holds a murder victim, shall not be executed. Such a person will only be subjected to imprisonment. To determine the duration of his imprisonment devolves on the view of the judge, for, it can either be a long or short one depending on the nature of the murder.

[2] He is 'Abdur-Rahman bin Abû Zaid, the manumitted slave of 'Umar رضى الله عنه. He was a resident of Al-Madina who settled at Harân. He was a *Tabi'i* of the sixth generation. Abû Hâtim said, "He was weak (in the *Hadîth* narration), but Ibn Hibbân verified him as reliable. Al-Hâfiz Abdul-'Azim said, "He is not an authority (in the *Hadîth*)." He hailed from Bailamân.

[3] The word used in Arabic is *Mu'âhid* and refers to a certain non-believer who does not have a permanent residence in Islâmic state and has arrived in the Islâmic state to carry out an assignment after securing the necessary permission and shelter from the Islâmic state. The murder of such a person is unanimously forbidden and his Muslim murderer shall be executed in retaliation for his murder.

**1007.** Narrated Ibn 'Umar رضي الله عنهما: A lad was killed treacherously,[1] so 'Umar said, "If all the people of San'â were to share in shedding his blood, I would have killed them for him." [Al-Bukhâri reported it].

(١٠٠٧) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قُتِلَ غُلَامٌ غِيلَةً، فَقَالَ عُمَرُ: لَوِ اشْتَرَكَ فِيهِ أَهْلُ صَنْعَاءَ لَقَتَلْتُهُمْ بِهِ. أَخْرَجَهُ الْبُخَارِيُّ.

**1008.** Narrated Abû Shuraih[2] Al-Khuzâ'i رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If a relative of anyone is killed, after this speech of mine, his people will have a choice; either to accept blood money or to kill." [Abû Dâ'ud and An-Nasâ'i reported it]. The aforesaid *Hadîth* originates from *As-Sahîhain* from Abû Huraira's *Hadîth*, meaning something to the same effect.

(١٠٠٨) وَعَنْ أَبِي شُرَيْحٍ الْخُزَاعِيِّ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**فَمَنْ قُتِلَ لَهُ قَتِيلٌ، بَعْدَ مَقَالَتِي هَذِهِ، فَأَهْلُهُ بَيْنَ خِيرَتَيْنِ، إِمَّا أَنْ يَأْخُذُوا الْعَقْلَ، أَوْ يَقْتُلُوا**». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ بِمَعْنَاهُ.

## Chapter 1
## TYPES OF *DIYAT*[3] (BLOOD MONEY)

## ١ - بَابُ الدِّيَاتِ

**1009.** Narrated Abû Bakr[4] bin Muhammad bin 'Amr bin Hazm, on his father's authority from his grandfather (رضي الله عنه): The Prophet صلى الله عليه وسلم wrote to the people of Yemen — the narrator narrated the *Hadîth* — and it contains: "If anyone kills a believer wrongfully and

(١٠٠٩) عَنْ أَبِي بَكْرِ بْنِ مُحَمَّدِ بْنِ عَمْرِو بْنِ حَزْمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ كَتَبَ إِلَى أَهْلِ الْيَمَنِ فَذَكَرَ الْحَدِيثَ. وَفِيهِ أَنَّ مَنِ اعْتَبَطَ مُؤْمِناً قَتْلاً عَنْ بَيِّنَةٍ، فَإِنَّهُ قَوَدٌ، إِلاَّ أَنْ يَرْضَى أَوْلِيَاءُ الْمَقْتُولِ. وَإِنَّ فِي

[1] The incidence goes that three persons murdered a young boy collectively and deceitfully. 'Umar رضي الله عنه issued a decree that all of them be executed. There is a difference in opinions as to whether or not more than one person be executed in retaliation for the murder of just one person. Preference is, however, accorded to the verdict of 'Umar رضي الله عنه.

[2] 'Amr bin Khuwailid or Khuwailid bin 'Amr Al-Ka'bi Al-'Adawi Al-Khuza'i became a Muslim before the Conquest and died in Al-Madîna in the year 68 H.

[3] *Diya* implies the blood money which is paid to the victim's legal heir.

[4] Abû Bakr bin Muhammad bin 'Amr bin Hazm Al-Ansâri An-Najâri Al-Madani Al-Qadi. He was reliable, devoted in Allâh's worship and was among the contributors to the six books of *Ahadîth*. He was also a *Tabi'i* of the fifth generation. His wife said that he never slept on his bed at night for forty years, meaning that he used to perform voluntary night prayers. Ibn Ma'în verified him as reliable, and Ibn Sa'd said that he died in the year 120 H.

النَّفْسِ الدِّيَةَ: مِائَةً مِّنَ الإِبِلِ، وَفِي الأَنْفِ إِذَا أُوْعِبَ جَدْعُهُ الدِّيَةُ، وَفِي الْعَيْنَيْنِ الدِّيَةُ، وَفِي اللِّسَانِ الدِّيَةُ، وَفِي الشَّفَتَيْنِ الدِّيَةُ، وَفِي الذَّكَرِ الدِّيَةُ، وَفِي الْبَيْضَتَيْنِ الدِّيَةُ، وَفِي الصُّلْبِ الدِّيَةُ، وَفِي الرِّجْلِ الْوَاحِدَةِ نِصْفُ الدِّيَةِ، وَفِي الْمَأْمُومَةِ ثُلُثُ الدِّيَةِ، وَفِي الْجَائِفَةِ ثُلُثُ الدِّيَةِ، وَفِي الْمُنَقِّلَةِ خَمْسَ عَشْرَةَ مِنَ الإِبِلِ، وَفِي كُلِّ إِصْبَعٍ، مِنْ أَصَابِعِ الْيَدِ وَالرِّجْلِ عَشْرٌ مِّنَ الإِبِلِ، وَفِي السِّنِّ خَمْسٌ مِّنَ الإِبِلِ، وَفِي الْمُوضِحَةِ خَمْسٌ مِّنَ الإِبِلِ، وَإِنَّ الرَّجُلَ يُقْتَلُ بِالْمَرْأَةِ، وَعَلَى أَهْلِ الذَّهَبِ أَلْفُ دِينَارٍ.

أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَالنَّسَائِيُّ وَابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَابْنُ حِبَّانَ وَأَحْمَدُ، وَاخْتَلَفُوا فِي صِحَّتِهِ.

deliberately, retaliation is then due unless the relatives of the one who is killed are willing to do otherwise.[1] It also contains that the blood money for a life is a hundred camels; that full blood money must be paid for the complete cutting off of a nose, the eyes, the tongue, the lips, the penis, the testicles and the backbone; that for one foot half the blood money must be paid, for a wound in the head a third of the blood money, for a thrust which penetrates the body a third of the blood money, for a head wound which removes a bone fifteen camels, for each finger and toe ten camels, for a tooth five camels, and for a wound which lays bare the bone five camels; that a man may be killed in retaliation for a woman; and that those who have gold should pay a thousand Dinârs."[2] [Abû Dâ'ud reported it in his book *Marasil*. An-Nasâ'i, Ibn Khuzaima, Ibn Al-Jârûd, Ibn Hibbân and Ahmad reported it too, but they disagreed regarding its authenticity].

---

[1] This *Hadith* implies that in the case of a deliberate murder, the successors of a victim, regardless whether by blood or through adoption, are free to choose among the four options. These options are: a) retaliation by life-taking (death penalty to the murderer); b) *Diya* (acceptance of blood money); c) pardoning or excusing the murderer; d) making a settlement on more or less the equivalent of the blood money.

[2] This *Hadith* demonstrates that the legal successors of a person, killed without any fault on his part, are free either to opt for *Diya* (a blood money payment) or *Qisâs* (execution of the murderer in retaliation). The amount of *Diya* payable is 100 camels or their collective price. There is a statement enlisting separate amounts as compensations payable against the loss of different bodily organs. *Ma'muma* (المأمومة) is a blow which affects the brain. *Jâ'ifah* (الجائفة) is a wound inflicted between a bodily region spanning from one's throat to the urinary bladder and rips open the upper layer of one's belly. *Moudihâ* (الموضحة) is a wound inflicted in such a way that it flays off the bodily flesh and makes the bone revealed and visible.

**1010.** Narrated Ibn Mas'ûd رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The blood money for murder by error should be in five types of camels: Twenty she-camels in their fourth year, twenty she-camels in their fifth year, twenty she-camels which had entered their second year, twenty she-camels which had entered their third year, and twenty male camels which had entered their third year." [Ad-Dâraqutni reported it. *Al-Arba'a* reported it with this version: "twenty male camels which had entered their second year" instead of "twenty male camels which had entered their third year," and the chain of narrators of the first version is stronger than the second one. Ibn Abû Shaiba reported it through another authority which is *Mawqûf* (untraceable),[1] it is more sound than the *Marfû'* (traceable) one].

(١٠١٠) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، قَالَ: «دِيَةُ الْخَطَإِ أَخْمَاساً، عِشْرُونَ حِقَّةً، وَعِشْرُونَ جَذَعَةً، وَعِشْرُونَ بَنَاتِ مَخَاضٍ، وَعِشْرُونَ بَنَاتِ لَبُونٍ، وَعِشْرُونَ بَنِي لَبُونٍ» أَخْرَجَهُ الدَّارَقُطْنِيُّ. وَأَخْرَجَهُ الْأَرْبَعَةُ بِلَفْظِ: «وَعِشْرُونَ بَنِي مَخَاضٍ» بَدَلَ «بَنِي لَبُونٍ»، وَإِسْنَادُ الْأَوَّلِ أَقْوَى، وَأَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ مِنْ وَجْهٍ آخَرَ مَوْقُوفاً، وَهُوَ أَصَحُّ مِنَ الْمَرْفُوعِ.

Abû Dâ'ud and At-Tirmidhi reported the aforesaid *Hadîth* through 'Amr bin Shu'aib on his father's authority from his grandfather (رضي الله عنه) who narrated in a *Marfû' Hadîth* that, "The blood money (for murder by error) should be thirty she-camels in their fourth year, thirty she-camels in their fifth year, and forty she-camels in their sixth year and which are pregnant."

وَأَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ مِنْ طَرِيقِ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، رَفَعَهُ: الدِّيَةُ ثَلَاثُونَ حِقَّةً، وَثَلَاثُونَ جَذَعَةً، وَأَرْبَعُونَ خَلِفَةً، فِي بُطُونِهَا أَوْلَادُهَا.

**1011.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "The people most insolent with Allâh are three: He who kills someone in the

(١٠١١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ أَعْتَى النَّاسِ عَلَى اللهِ ثَلَاثَةٌ: مَنْ قَتَلَ فِي حَرَمِ اللهِ،

[1] The majority of the *Ummah* (Islâmic nation) acts upon the narration of Ibn Mas'ûd.

*Haram*[1] (Sacred Territory) of Allâh, he who kills anyone other than the killer who has killed a relative of his, and he who kills someone for the revenge of the pre-Islamic times." [Ibn Hibbân reported it in a *Hadîth* which he had *Sahih* (sound)].

أَوْ قَتَلَ غَيْرَ قَاتِلِهِ. أَوْ قَتَلَ لِذَحْلِ الْجَاهِلِيَّةِ». أَخْرَجَهُ ابْنُ حِبَّانَ فِي حَدِيثٍ صَحَّحَهُ.

**1012.** Narrated 'Abdullâh bin 'Amr bin Al-'Aas رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The blood money for murder by error[2] and quasi-deliberate murder which resembles intentional such as the one committed with a whip and a stick is a hundred camels, forty of which are pregnant." [Abû Dâ'ud, An-Nasâ'i and Ibn Mâjah reported it; Ibn Hibbân graded it *Sahih* (sound)].

(١٠١٢) وَعَنْ عَبْدِاللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «أَلاَ إِنَّ دِيَةَ الْخَطَأِ وشِبْهِ الْعَمْدِ، مَا كَانَ بِالسَّوْطِ وَالْعَصَا، مِائَةٌ مِنَ الإِبِلِ، مِنْهَا أَرْبَعُونَ فِي بُطُونِهَا أَوْلاَدُهَا». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1013.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "This and this are equal, meaning the little finger and the thumb."[3] [Reported by Al-Bukhâri].

(١٠١٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، قَالَ: «هٰذِهِ وَهٰذِهِ سَوَاءٌ يَعْنِي الْخِنْصَرَ وَالإِبْهَامَ». رَوَاهُ الْبُخَارِيُّ.

---

[1] This *Hadith* informs us that a sinful act committed within the confines of *Haram* (sanctified region) incurs a far greater penalty than a similar act committed elsewhere.

[2] A *Hadith* narrated by Ibn Mas'ûd concerning the blood money payable in the event of a murder by error has already been mentioned earlier. Some people on the basis of this *Hadith*, deem this kind of blood money to be correct and valid. The rationale behind it seems to be that each murder case should be treated individually and separately in accordance with the condition of the victim. If a person is killed in a cold blooded and brutal fashion, the blood money shall be demanded condignly and vehemently too. A deliberate murder is the one in which intentionally such a weapon is used which generally proves to be a lethal one and causes death to the victim. A murder by error is the one in which the weapon thus used happens to be indeed a lethal one but the real intention was not to kill the man. For instance an arrow which was originally aimed at a game of pray missed the intended target and struck a human being. A quasi-deliberate murder is the one in which the intention of hitting a person was verily involved but the instrument used was such which does not usually cause death; i.e., a scourge, a baton and brick, etc.

[3] All the fingers, whether big ones or small ones, are to be treated exactly on an equal footing in terms of compensatory payment.

Abû Dâ'ud and At-Tirmidhi have: "The blood money for the fingers and toes is equal, the teeth is equal, the front tooth and the molar tooth is equal."

ولأبي داود والترمذي: الأصابع سواء والأسنان سواء، الثنية والضرس سواء.

Ibn Hibbân has: "The blood money for the fingers and toes is equal, and ten camels must be paid for each finger or toe."

ولابن حبان: دية أصابع اليدين والرجلين سواء، عشر من الإبل لكل إصبع.

**1014.** Narrated 'Amr bin Shu'aib on his father's authority from his grandfather (رضي الله عنه): The Prophet (صلى الله عليه وسلم) said, "Anyone who practises medicine when he is not known as a practitioner and kills a life or inflicts bodily harm will be held responsible."[1] [Ad-Dâraqutni reported it; Al-Hâkim graded it *Sahih* (sound). It occurs in the books of Abû Dâ'ud, An-Nasâ'i and others, but its *Mursal* (disreferred) form is stronger than its *Mausûl* (connected) one].

(١٠١٤) وعن عمرو بن شعيب، عن أبيه، عن جده، رفعه، قال: من تطبب، ولم يكن بالطب معروفا، فأصاب نفسا فما دونها، فهو ضامن. أخرجه الدارقطني، وصححه الحاكم، وهو عند أبي داود والنسائي وغيرهما، إلا أن من أرسله أقوى ممن وصله.

**1015.** Narrated ('Amr bin Shu'aib on his father's authority from his grandfather) رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Five camels must be paid for every wound which lays bare a bone." [Reported by Ahmad and *Al-Arba'a*]. Ahmad added: "The fingers and toes are equal, and ten camels must be paid for each of them." [Ibn Khuzaima and Ibn Al-Jârûd graded it *Sahih* (sound)].

(١٠١٥) وعنه رضي الله تعالى عنه، أن النبي ﷺ قال: «في المواضح خمس خمس من الإبل». رواه أحمد والأربعة. وزاد أحمد: «والأصابع سواء كلهن، عشر عشر من الإبل»، وصححه ابن خزيمة وابن الجارود.

**1016.** Narrated ('Amr bin Shu'aib on his father's authority from his

(١٠١٦) وعنه رضي الله تعالى عنه،

[1] As long as one is not a qualified physician, he must not recommend a dangerous and poisonous medicine to any of his patients. In case a patient, who is under such a physician's care, dies out of using a poisonous medicament or as a result of a dangerous surgical operation, this physician will be bound to pay the blood money for causing his death.

grandfather) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The blood money for *Ahludh-Dhimma* is half[1] that for Muslim." [Reported by Ahmad and *Al-Arba'a*;] Abû Dâ'ud's version has: "The blood money for one with whom a covenant has been made is half that for a freeman." An-Nasâ'i has: "The blood money for a woman is the same as that for a man up to a third of the blood money for her life." [Ibn Khuzaima graded it *Sahih* (sound)].

قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «عَقْلُ أَهْلِ الذِّمَّةِ نِصْفُ عَقْلِ الْمُسْلِمِينَ» رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ. وَلَفْظُ أَبِي دَاوُدَ: «دِيَةُ الْمُعَاهِدِ نِصْفُ دِيَةِ الْحُرِّ». وَلِلنَّسَائِيِّ: «عَقْلُ الْمَرْأَةِ مِثْلُ عَقْلِ الرَّجُلِ، حَتَّى يَبْلُغَ الثُّلُثَ مِنْ دِيَتِهَا». وَصَحَّحَهُ ابْنُ خُزَيْمَةَ.

**1017.** Narrated ('Amr bin Shu'aib on his father's authority from his grandfather) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Blood money for quasi-deliberate murder is to be made as severe as that for deliberate murder, but the culprit is not to be killed,[2] lest the devil excites discord between people and hence there occurs shedding of blood between them owing to no hatred or bearing of arms." [Al-Dâraqutni reported it, and graded it *Da'if*].

(١٠١٧) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «عَقْلُ شِبْهِ الْعَمْدِ مُغَلَّظٌ، مِثْلُ عَقْلِ الْعَمْدِ، وَلَا يُقْتَلُ صَاحِبُهُ، وَذَلِكَ أَنْ يَنْزُوَ الشَّيْطَانُ فَيَكُونَ دَماً بَيْنَ النَّاسِ فِي غَيْرِ ضَغِينَةٍ، وَلَا حَمْلِ سِلَاحٍ». أَخْرَجَهُ الدَّارَقُطْنِيُّ وَضَعَّفَهُ.

**1018.** Narrated Ibn 'Abbâs رضي الله عنهما: A man killed another in the time of

(١٠١٨) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ

[1] This *Hadîth* clarifies two things. Firstly, the blood money payable to a *Dhimmi* will be just half of the amount which is normally paid to a Muslim; *Dhimmi* is a term used for a non-believer who resides as a citizen in an Islâmic country. Secondly, the compensation of a women in terms of injuries, excluding a murder case, will be just half of the amount given to a man, provided that the amount of her injury compensation exceeds one-third of a full male compensation amount.

[2] The amount of blood money in the case of a quasi-deliberate murder depends upon the opinion of the ruling judge. In case the murder incidents abound in the region or the murderer happens to be an extremely mischievous and emotional character, the judge may equate the amount of blood money with that of the one realised in the case of a deliberate murder. If the prevalent conditions appear to be contrariwise, he is empowered to decrease the amount of blood money to be at par with the one realised in the case of a murder by error.

Allâh's Messenger صلى الله عليه وسلم, so the Prophet صلى الله عليه وسلم fixed his blood money at twelve thousand (Dirhams). [Reported by *Al-Arba'a*; An-Nasâ'i and Abû Hâtim preponderated that it is *Mursal*].

تَعَالَى عَنْهُمَا، قَالَ: قَتَلَ رَجُلٌ رَجُلاً عَلَىٰ عَهْدِ رَسُولِ اللهِ ﷺ، فَجَعَلَ النَّبِيُّ ﷺ دِيَتَهُ اثْنَيْ عَشَرَ أَلْفاً. رَوَاهُ الْأَرْبَعَةُ، وَرَجَّحَ النَّسَائِيُّ وَأَبُو حَاتِمٍ إِرْسَالَهُ.

**1019.** Narrated Abû Rimtha[1]: I came to the Prophet صلى الله عليه وسلم with my son and he asked, "Who is this?" I replied, "He is my son and be witness to the fact." He said, "For sure, you will neither be held responsible for his offence nor he[2] for yours." [Reported by An-Nasâ'i and Abû Dâ'ud; Ibn Khuzaima and Ibn Al-Jârûd graded it *Sahih* (sound)].

(١٠١٩) وَعَنْ أَبِي رِمْثَةَ قَالَ: أَتَيْتُ النَّبِيَّ ﷺ، وَمَعِي ابْنِي، فَقَالَ: «مَنْ هٰذَا؟» فَقُلْتُ: ابْنِي، وَأَشْهَدُ بِهِ، فَقَالَ: «أَمَا إِنَّهُ لَا يَجْنِي عَلَيْكَ. وَلَا تَجْنِي عَلَيْهِ». رَوَاهُ النَّسَائِيُّ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ.

## Chapter 2
## ACCUSATION WITH A MURDER AND TAKING AN OATH

## ٢ - بَابُ دَعْوَى الدَّمِ وَالْقَسَامَةِ

**1020.** Narrated Sahl bin Abû Hathma (رضي الله عنه) on the authority of some elderly men of his tribe: 'Abdullâh bin Sahl[3] and Muhaiyisa[4] bin Mas'ûd went out to Khaibar owing to some distress which had afflicted

(١٠٢٠) وَعَنْ سَهْلِ بْنِ أَبِي حَثْمَةَ، عَنْ رِجَالٍ مِنْ كُبَرَاءِ قَوْمِهِ، أَنَّ عَبْدَ اللهِ بْنَ سَهْلٍ وَمُحَيِّصَةَ بْنَ مَسْعُودٍ خَرَجَا إِلَى خَيْبَرَ، مِنْ جَهْدٍ أَصَابَهُمْ، فَأَتَى مُحَيِّصَةُ، فَأَخْبَرَ أَنَّ

[1] It is said that his name was Habib bin Haiyân or Rifâ'a bin Yathribi or 'Amâra bin Yathribi, — Balawi or Taimi of Banu Taim Ar-Rabab. It is also said he was a Tamimi and a descendant of Imra-ul-Qais bin Zaid Manât bin Tamim. He was a *Sahâbi* counted among the people of Kufa.

[2] The purpose of mentioning this *Hadîth* here is to explain that a son is not accountable for a crime committed by his father and similarly a father shall not be held answerable for a wrong deed committed by his son. They cannot be punished for the wrongs of each other.

[3] 'Abdullâh bin Sahl bin Zaid bin Ka'b bin 'Aamir Al-Ansâri Al-Hârithi was killed at Khaibar and his body was found in a spring with his neck broken.

[4] Abû Sa'îd Muhaiyisa bin Mas'ûd bin Ka'b Al-Hârithi Al-Ansâri Al-Madani, the paternal cousin of the murdered 'Abdullâh was a well-known *Sahâbi*, who had become a Muslim before the *Hijra* and took part in the battle of Uhud, Al-Khandaq (the Trench) and the rest of the other imporant battles. Allâh's Messenger صلى الله عليه و سلم also sent him to the people of Fadak to call them to Islâm.

عَبْدَاللهِ بْنَ سَهْل قَدْ قُتِلَ، وَطُرِحَ فِيْ عَيْنٍ، فَأَتَى يَهُودَ، فَقَالَ: أَنْتُمْ وَاللهِ قَتَلْتُمُوهُ، قَالُوا: وَاللهِ مَا قَتَلْنَاهُ، فَأَقْبَلَ هُوَ، وَأَخُوهُ حَوِيِّصَةُ، وَعَبْدُ الرَّحْمٰنِ بْنُ سَهْلٍ، فَذَهَبَ مُحَيِّصَةُ لِيَتَكَلَّمَ، فَقَالَ رَسُولُ اللهِ ﷺ: **«كَبِّرْ كَبِّرْ»**، يُرِيْدُ السِّنَّ. فَتَكَلَّمَ حَوِيِّصَةُ، ثُمَّ تَكَلَّمَ مُحَيِّصَةُ، فَقَالَ رَسُولُ اللهِ ﷺ: **«إِمَّا أَنْ يَدُوا صَاحِبَكُمْ، وَإِمَّا أَنْ يَأْذَنُوا بِحَرْبٍ»**، فَكَتَبَ إِلَيْهِمْ فِيْ ذٰلِكَ كِتَاباً، فَكَتَبُوا: إِنَّا وَاللهِ مَا قَتَلْنَاهُ، فَقَالَ لِحُوَيِّصَةَ، وَمُحَيِّصَةَ، وَعَبْدِ الرَّحْمٰنِ بْنِ سَهْلٍ: **«أَتَحْلِفُونَ، وَتَسْتَحِقُّونَ دَمَ صَاحِبِكُمْ؟»** قَالُوا: لَا، قَالَ: **«فَيَحْلِفُ لَكُمْ يَهُودُ»**، قَالُوا: لَيْسُوا مُسْلِمِيْنَ، فَوَدَاهُ رَسُولُ اللهِ ﷺ مِنْ عِنْدِهِ، فَبَعَثَ إِلَيْهِمْ مِائَةَ نَاقَةٍ، قَالَ سَهْلٌ: فَلَقَدْ رَكَضَتْنِيْ مِنْهَا نَاقَةٌ حَمْرَاءُ. مُتَّفَقٌ عَلَيْهِ.

them. Muhaiyisa came and told that 'Abdullâh bin Sahl had been killed and casted into a well. He came to the Jews and said, "It is you - I swear by Allâh - who have killed him." They replied, "We swear by Allâh that we have not killed him." His brothers Huwaiyisa[1] and 'Abdur-Rahmân bin Sahl[2] and he came and Muhaiyisa was about to speak when Allâh's Messenger صلى الله عليه وسلم said, "*Kabbir, Kabbir*," (i.e. let the oldest speak first.) So Huwaiyisa spoke, then Muhaiyisa spoke. Allâh's Messenger صلى الله عليه وسلم thereupon said, "They should either pay the blood money for your friend, or take notice of war. He wrote them a letter regarding that; and they answered, "By Allâh, we have verily not killed him." He then said to Huwaiyisa, Muhaiyisa and 'Abdur-Rahmân bin Sahl, "Would you take an oath and make your claim regarding the blood money of your friend?" They replied, "No." He said, "Will the Jews then swear to you (that they are innocent)?" They replied, "They are not Muslims." So Allâh's Messenger صلى الله عليه وسلم himself paid his blood money[3] and sent them one

---

[1] He was the elder brother of Muhaiyisa who became a Muslim through Muhaiyisa's efforts. It is said that he took part in Al-Khandaq (the Trench), Uhud and the rest of the other important battles with the Prophet صلى الله عليه وسلم.

[2] He is the brother of the aforementioned 'Abdullâh bin Sahl and his mother was Laila, daughter of Nâfi' bin 'Aamir. It is said that he fought at Badr, Uhud and at all the other important battles. He is also the one who was bitten by a snake and 'Amâra bin Hazm treated him with *Ar-Ruqya* (i.e. Qur'ânic reading and prayers) by order of the Prophet صلى الله عليه و سلم but Ibn Hajar found that unlikely to be the case and hesitated to accept as factual in his book *Al-Isâba*.

[3] *Qasâma* (القسامة) implies a condition where the actual murderer not being identified, the suspected persons or the people of a tribe are made to make a sworn statement. Should

hundred she-camels. Sahl said, "a red she-camel among them kicked me." [Agreed upon].

**1021.** Narrated a man from *Al-Ansâr*: "Allâh's Messenger صلى الله عليه وسلم fixed the practice of taking an oath as it was in the *Jahiliya* times.[1] Allâh's Messenger صلى الله عليه وسلم gave a ruling according to it for some people of *Al-Ansâr* regarding a slain for which they made claim against the Jews." [Reported by Muslim].

(١٠٢١) وَعَنْ رَجُلٍ مِّنَ الأَنْصَارِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ أَقَرَّ الْقَسَامَةَ عَلَىٰ مَا كَانَتْ عَلَيْهِ فِي الْجَاهِلِيَّةِ، وَقَضَى بِهَا رَسُولُ اللهِ ﷺ بَيْنَ نَاسٍ مِّنَ الأَنْصَارِ، فِي قَتِيلٍ ادَّعَوْهُ عَلَى الْيَهُودِ. رَوَاهُ مُسْلِمٌ.

## Chapter 3
## KILLING OF THE TRANSGRESSIVE PEOPLE

## ٣ - بَابُ قِتَالِ أَهْلِ الْبَغْيِ

**1022.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "He who takes up arms against us is not one of us."[2] [Agreed upon].

(١٠٢٢) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ حَمَلَ عَلَيْنَا السِّلاَحَ فَلَيْسَ مِنَّا». مُتَّفَقٌ عَلَيْهِ.

---

such an incident occur, fifty people are supposed to give a sworn evidence to the effect that they, their tribesmen, or the people of their village have not committed the murder. This kind of oath is administered during murder trials only. No such oath is administered in the trials of other *Hudûd*. *Qasâma* may be undertaken by either of the two parties (i.e. the claimant or the defendant). In case the claimants (successors of the victims) present an evidence, or resort to this kind of swearing (in the absence of a proof) claiming that these are indeed the murderers f the victims, it becomes imperative on the defendant to pay blood money to the claimant. If the claimants are unable to do so, the defendants may similarly choose to undertake a similar oath substantiated by fifty persons. Such an oath-taking will absolve the defendants of the murder charges. The said oath-taking shall only be undertaken by those persons who are singled out and selected by none other than the petitioner himself. This is the one and only ruling of its kind that legitimises the oath-taking on the part of a petitioner too.

[1] In this matter, the Islâmic law also accepts an oath undertaken by a disbeliever. *Qasâma* does not take effect merely on an allegation made by a petitioner unless the same is propped by some strong and substantial doubts concerning the murder.

[2] To fight against a non-mutineer Muslim is an act incurring enormous sin. Similarly, threatening a Muslim with murder or frightening and intimidating him by brandishing a weapon is also a great sinful act. In case someone legitimises the murder of a Muslim or kills him by deeming it permissible, then there is no doubt about the apostasy of such a person. He is declared as unbeliever by a common consensus. It is permissible to wage a war against the Muslim mutineers who rise in a rebellion against a lawful authority as

**1023.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "He who disobeys (the rightful Muslim ruler), separates from the community and then dies, his death is as that of those of the *Jahiliya* era."[1] [Muslim reported it].

(١٠٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ خَرَجَ عَنِ الطَّاعَةِ، وَفَارَقَ الْجَمَاعَةَ، وَمَاتَ، فَمِيتَتُهُ مِيتَةٌ جَاهِلِيَّةٌ». أَخْرَجَهُ مُسْلِمٌ.

**1024.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "The transgressive party will kill 'Ammâr."[2] [Reported by Muslim].

(١٠٢٤) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «تَقْتُلُ عَمَّاراً الْفِئَةُ الْبَاغِيَةُ». رَوَاهُ مُسْلِمٌ.

**1025.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Do you know, son of Umm 'Abd, what is Allâh's ruling regarding those of this community who transgress?" He replied, "Allâh and His Messenger know best." He said, "A wounded man among them should not be given the last stroke, nor captive should be killed, nor fugitive should be pursued and no booties from them should be divided."[3] [Reported by Al-Bazzâr and Al-Hakim. The latter graded it *Sahih* (sound), but he made a mistake

(١٠٢٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «هَلْ تَدْرِي، يَا ابْنَ أُمِّ عَبْدٍ! كَيْفَ حُكْمُ اللَّهِ فِيمَنْ بَغَى مِنْ هَذِهِ الْأُمَّةِ؟» قَالَ: اللَّهُ وَرَسُولُهُ أَعْلَمُ، قَالَ: «لَا يُجْهَزُ عَلَى جَرِيحِهَا، وَلَا يُقْتَلُ أَسِيرُهَا، وَلَا يُطْلَبُ هَارِبُهَا، وَلَا يُقْسَمُ فَيْئُهَا». رَوَاهُ الْبَزَّارُ وَالْحَاكِمُ، وَصَحَّحَهُ، فَوَهِمَ، لِأَنَّ فِي إِسْنَادِهِ كَوْثَرَ بْنَ حَكِيمٍ، وَهُوَ مَتْرُوكٌ.

---

mentioned in the Qur'ânic verse (Wage a war unto the ones who rebel against ...) as well as other sound *Ahâdith*.

[1] Obedience to an *Amir* (ruler) is obligatory till such a time as long as he does not issue a decree which explicitly defies the codes of Islâmic law and it is not permitted to break away his pledge of allegiance as long he does not commit manifest acts of apostasy. The insubordination of an *Amir* who rules according to Islâmic law. is an act of rebellion. Anyone breaching the authority of an *Amir* or falling out from the group, even though not reckoned a disbeliever, dies the death of those people who have gone astray.

[2] He was martyred during the battle of Siffin by the activists of Sabâ'i sect.

[3] There is no disagreement concerning the permissibility to wage a war against the mutineers but there is a difference of opinions among scholars as to the confiscation of their belongings, doing away with their wounded warriors and giving them a chase in their pursuit.

because Kauthar[1] bin Hakim is in its chain of narrators, and he is *Matrûk* (rejected)].

Something similar to the aforesaid *Hadîth* was sounded from 'Ali رضي الله عنه as a *Mawqûf*. [Ibn Abû Shaiba and Al-Hâkim reported it].

وَصَحَّ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِنْ طُرُقٍ، نَحْوُهُ مَوْقُوفاً، أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَالْحَاكِمُ.

**1026.** Narrated 'Arfaja bin Shuraih[2] (رضي الله عنه): "I heard Allâh's Messenger صلى الله عليه وسلم say, "If anyone comes to you when you are united, intending to divide your community, kill him." [Muslim reported it].

(١٠٢٦) وَعَنْ عَرْفَجَةَ بْنِ شُرَيْحٍ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ أَتَاكُمْ، وَأَمْرُكُمْ جَمِيعٌ، يُرِيدُ أَنْ يُفَرِّقَ جَمَاعَتَكُمْ، فَاقْتُلُوهُ». أَخْرَجَهُ مُسْلِمٌ.

## Chapter 4
## FIGHTING AGAINST OFFENDERS AND KILLING APOSTATES

## ٤ - بَابُ قِتَالِ الْجَانِي وَقَتْلِ الْمُرْتَدِّ

**1027.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "He who is killed protecting his property is a martyr."[3] [Reported by Abû Dâ'ud, An-Nasâ'i and At-Tirmidhi. The latter graded it *Sahih* (sound)].

(١٠٢٧) عَنْ عَبْدِ اللهِ بن عمر رَضِيَ اللهُ تعالى عنهما قال: قال رسول الله ﷺ: «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

**1028.** Narrated 'Imrân bin Husain رضي الله عنهما: Ya'lâ bin Umaiya fought with a man and one of them bit his friend so the other drew away his hand from his mouth pulling out one of his front teeth. Then they brought a dispute

(١٠٢٨) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَاتَلَ يَعْلَى بْنُ أُمَيَّةَ رَجُلاً، فَعَضَّ أَحَدُهُمَا صَاحِبَهُ، فَانْتَزَعَ يَدَهُ مِنْ فَمِهِ، فَنَزَعَ ثَنِيَّتَهُ، فَاخْتَصَمَا إِلَى النَّبِيِّ

[1] He was a resident of Kufa and later settled at Halab. Ibn Ma'în said about him, "He is nothing (regarding the narration of *Hadîth*)." Ahmad bin Hanbal said, "His *Ahadîth* are false."

[2] 'Arfaja bin Shuraih Ashja'i was a *Sahâbi* who settled at Kufa.

[3] Another *Hadîth* relates that whosoever gets killed while safeguarding his wealth, life, progeny and religion, is a martyr, and hence secures Paradise. If a miscreant attacks someone's life, wealth, spouse and children, regardless whether the wealth happens to be scanty or abundant, and the defending person murders the attacker in the process, such a killing incurs absolutely no sin on him. This ruling is collectively agreed.

before the Prophet صلى الله عليه وسلم and he said, "Does one of you bite as a male camel bites? "There is no blood money[1] for him." [Agreed upon and the version is of Muslim].

ﷺ، فَقَالَ: «أَيَعَضُّ أَحَدُكُمْ أَخَاهُ، كَمَا يَعَضُّ الْفَحْلُ؟ لاَ دِيَةَ لَهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**1029.** Narrated Abû Huraira رضي الله عنه: Abul Qâsim صلى الله عليه وسلم said, "If any person were to look at you without permission and you were to throw a pebble at him and put out his eye, you would be guilty of no offence."[2] [Agreed upon]. A version by Ahmad and An-Nasâ'i, which Ibn Hibbân declared to be sound, A version of Ahmad and An-Nasâ'i has: "He has neither blood money nor retaliation."

(١٠٢٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ أَبُو الْقَاسِمِ ﷺ: «لَوْ أَنَّ امْرَأً اطَّلَعَ عَلَيْكَ بِغَيْرِ إِذْنٍ، فَحَذَفْتَهُ بِحَصَاةٍ، فَفَقَأْتَ عَيْنَهُ، لَمْ يَكُنْ عَلَيْكَ جُنَاحٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لأَحْمَدَ وَالنَّسَائِيِّ، وَصَحَّحَهُ ابْنُ حِبَّانَ: «فَلاَ دِيَةَ لَهُ وَلاَ قِصَاصَ».

**1030.** Narrated Al-Barâ' bin 'Azib رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم ruled that: "The owners of gardens are responsible for guarding them by day; and the owners of animals are responsible for guarding them during the night, and that any damage done by animals during the night is the responsibility of their owners."[3] [Reported by Ahmad and *Al-Arba'a* except At-Tirmidhi; Ibn Hibbân graded it *Sahih* (sound), and there is disagreement regarding its chain of narrators].

(١٠٣٠) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَضَى رَسُولُ اللهِ ﷺ أَنَّ حِفْظَ الْحَوَائِطِ بِالنَّهَارِ عَلَىٰ أَهْلِهَا، وَأَنَّ حِفْظَ الْمَاشِيَةِ بِاللَّيْلِ عَلَىٰ أَهْلِهَا، وَأَنَّ عَلَىٰ أَهْلِ الْمَاشِيَةِ مَا أَصَابَتْ مَاشِيَتُهُمْ بِاللَّيْلِ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، إِلاَّ التِّرْمِذِيَّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَفِي إِسْنَادِهِ اخْتِلاَفٌ.

[1] Any action necessitating the payment of compensation, if undertaken wrongly to obviate pain, is liable to be excused.

[2] This is regarding a house in which the entry without permission is forbidden.

[3] This *Hadîth* implies that if a herd of cattle causes a harm to someone's garden or agricultural produce during daytime, the cattle-owner will not be subjected to any penalty, since it is customary for the cattle to graze during daytime and therefore the garden owner is supposed to take the necessary care of his garden by himself. Similarly, it is also a mater of daily routine to fetter one's cattle at night and hence it is an obligation on the cattle-owner to fetter his cattle at night regularly, and if the cattle causes a harm at night-time, he is responsible to that.

**1031.** Narrated Mu'âdh bin Jabal رضى الله عنه regarding a man who had accepted Islâm then became a Jew: "I will not sit down till he is killed,[1] that is the Judgement of Allâh and His Messenger (صلى الله عليه وسلم), so an order was given and he was killed." [Agreed upon]. A version by Abû Dâ'ud has: "He was asked to return to Islâm before that."

(١٠٣١) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي رَجُلٍ أَسْلَمَ، ثُمَّ تَهَوَّدَ -: لاَ أَجْلِسُ حَتَّى يُقْتَلَ، قَضَاءُ اللهِ وَرَسُولِهِ، فَأُمِرَ بِهِ فَقُتِلَ. مُتَّفَقٌ عَلَيْهِ، وَفِي رِوَايَةٍ لأَبِي دَاوُدَ: «وَكَانَ قَدِ اسْتُتِيبَ قَبْلَ ذٰلِكَ».

**1032.** Narrated Ibn 'Abbâs رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Kill whoever changes his religion." [Reported by Al-Bukhâri].

(١٠٣٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ بَدَّلَ دِينَهُ فَاقْتُلُوهُ**». رَوَاهُ الْبُخَارِيُّ.

**1033.** Narrated (Ibn 'Abbâs) رضى الله عنهما: "A blind man had a slave-woman who gave birth to his children and she was reviling the Prophet صلى الله عليه وسلم and speaking evil of him. He forbade her but she did not desist. One night he took a pickaxe, put it on her belly and leaned on it killing her. The Prophet صلى الله عليه وسلم was informed about that and said, "Be witness that the spilling of her blood is lawful."[2] [Reported by Abû Dâ'ud and its narrators are reliable].

(١٠٣٣) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ أَعْمَى كَانَتْ لَهُ أُمُّ وَلَدٍ، تَشْتِمُ النَّبِيَّ ﷺ، وَتَقَعُ فِيهِ، فَيَنْهَاهَا، فَلاَ تَنْتَهِي، فَلَمَّا كَانَ ذَاتَ لَيْلَةٍ أَخَذَ الْمِعْوَلَ، فَجَعَلَهُ فِي بَطْنِهَا، وَاتَّكَأَ عَلَيْهَا، فَقَتَلَهَا، فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ، فَقَالَ: «**أَلاَ اشْهَدُوا أَنَّ دَمَهَا هَدَرٌ**». رَوَاهُ أَبُو دَاوُدَ، وَرُوَاتُهُ ثِقَاتٌ.

---

[1] This *Hadîth* and the one narrated by Ibn 'Abbâs رضى الله عنهما provide a clear evidence that the penalty of apostasy is execution. If someone announces his apostasy in the open, he must be put to death. In case he does the same in secrecy, he will not be punished with death. If someone is subjugated into being a disbeliever, or forced into uttering words characterising apostasy, he is exempted and is not considered to be guilty by Allâh. Some have regarded the female renegade as an exception, to the effect that the ruling of death penalty does not apply on her. This is an erroneous view as she too is punishable with death.

[2] This *Hadîth* amply clarifies that anyone uttering words of abuse to the Prophet صلى الله عليه وسلم is punishable with death.

# 10. THE BOOK OF *HUDUD*[1] (PRESCRIBED PENALTIES)

# ١٠ - كِتَابُ الْحُدُودِ

## Chapter 1 THE PRESCRIBED PUNISHMENT FOR COMMITTING FORNICATION

## ١ - بَابُ حَدِّ الزَّانِي

**1034.** Narrated Abû Huraira and Zaid bin Khâlid Al-Juhani رضى الله عنهما: A man of the desert Arabs came to Allâh's Messenger صلى الله عليه وسلم and said, "O Allâh's Messenger, I beg you in Allâh that you judge for me in accordance with Allâh, the Most High's Book. The other one who was more learned than him said, "Yes, judge between us in accordance with Allâh's Book and allow me (to speak)." He said, "Speak." He said, "My son who was a hired servant with this man committed fornication with his wife, and when I was told that my son must be stoned to death I ransomed him with a hundred sheep and a slave-girl; but when I asked the learned people they told me that my son should receive a hundred lashes and be banished for a year, and that stoning to death applied to this man's wife." Allâh's Messenger صلى الله عليه وسلم replied, "By Him in Whose Hands my soul is, I shall certainly judge between you in accordance with Allâh's Book. The slave-girl and the sheep are to returned to you, and your son shall receive a hundred lashes and be banished for a year. Unais, go to this

(١٠٣٤) عَنْ أَبِي هُرَيْرَةَ وَزَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَجُلاً مِنَ الأَعْرَابِ أَتَى رَسُولَ اللهِ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! أَنْشُدُكَ بِاللهِ إِلاَّ قَضَيْتَ لِيْ بِكِتَابِ اللهِ! فَقَالَ الآخَرُ - وَهُوَ أَفْقَهُ مِنْهُ -: نَعَمْ، فَاقْضِ بَيْنَنَا بِكِتَابِ اللهِ، وَائْذَنْ لِيْ، فَقَالَ: قُلْ، قَالَ: إِنَّ ابْنِيْ كَانَ عَسِيفاً عَلَىٰ هٰذَا، فَزَنَى بِامْرَأَتِهِ، وَإِنِّي أُخْبِرْتُ أَنَّ عَلَى ابْنِي الرَّجْمَ، فَافْتَدَيْتُ مِنْهُ بِمِائَةِ شَاةٍ وَوَلِيدَةٍ، فَسَأَلْتُ أَهْلَ الْعِلْمِ، فَأَخْبَرُونِي أَنَّ عَلَى ابْنِي جَلْدَ مِائَةٍ وَتَغْرِيبَ عَامٍ، وَأَنَّ عَلَى امْرَأَةِ هٰذَا الرَّجْمَ. فَقَالَ رَسُولُ اللهِ ﷺ: «**وَالَّذِي نَفْسِي بِيَدِهِ لأَقْضِيَنَّ بَيْنَكُمَا بِكِتَابِ اللهِ، الْوَلِيدَةُ وَالْغَنَمُ رَدٌّ عَلَيْكَ، وَعَلَى ابْنِكَ جَلْدُ مِائَةٍ وَتَغْرِيبُ عَامٍ، وَاغْدُ يَا أُنَيْسُ! إِلَى امْرَأَةِ هٰذَا، فَإِنِ اعْتَرَفَتْ فَارْجُمْهَا**». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا اللَّفْظُ لِمُسْلِمٍ.

[1] *Hudûd* is a plural form of *Hadd* which means 'to deter'. The legal punishment for fornication is called *Hudûd* because these prescribed penalties deter the people from such acts. Sometimes the word *Hadd* is also used to denote a particular sinful act.

man's wife, and if she confesses, stone[1] her to death." [Agreed upon; the version being Muslim's].

**1035.** Narrated 'Ubâda bin As-Sâmit رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Receive from me, receive from me, Allâh has given a way for them (women)[2]. When the parties are unmarried they shall receive hundred lashes and be banished for a year. When they commit fornication after marriage they shall receive hundred lashes[3] and be stoned to death." [Reported by Muslim].

(١٠٣٥) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**خُذُوا عَنِّي، خُذُوا عَنِّي، فَقَدْ جَعَلَ اللَّهُ لَهُنَّ سَبِيلاً، الْبِكْرُ بِالْبِكْرِ جَلْدُ مِائَةٍ وَنَفْيُ سَنَةٍ، وَالثَّيِّبُ بِالثَّيِّبِ جَلْدُ مِائَةٍ وَالرَّجْمُ**». رَوَاهُ مُسْلِمٌ.

**1036.** Narrated Abû Huraira رضي الله عنه: A man of the Muslims came to Allâh's Messenger صلى الله عليه وسلم when he was in the mosque and called him saying, "O Allâh's Messenger, I have committed fornication." He turned away from him, so the man came round facing him and said, "O Allâh's Messenger, I have committed fornication." He turned away from him till he repeated that four times. Then when he had testified four times against his own self, Allâh's

(١٠٣٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أَتَى رَجُلٌ مِّنَ الْمُسْلِمِينَ رَسُولَ اللهِ ﷺ، وَهُوَ فِي الْمَسْجِدِ، فَنَادَاهُ، فَقَالَ: يَا رَسُولَ اللهِ! إِنِّي زَنَيْتُ، فَأَعْرَضَ عَنْهُ، فَتَنَحَّى تِلْقَاءَ وَجْهِهِ، فَقَالَ يَا رَسُولَ اللهِ! إِنِّي زَنَيْتُ، فَأَعْرَضَ عَنْهُ، حَتَّى ثَنَّى ذٰلِكَ عَلَيْهِ أَرْبَعَ مَرَّاتٍ، فَلَمَّا شَهِدَ عَلَىٰ نَفْسِهِ أَرْبَعَ شَهَادَاتٍ دَعَاهُ رَسُولُ اللهِ ﷺ، فَقَالَ: «**أَبِكَ جُنُونٌ؟**»

[1] This *Hadîth* demonstrates with evidence that the penalty of fornication for an unmarried man and woman is their flogging with a hundred lashes each and their expatriation from the Islâmic state for the period of one year. The punishment of a hundred lashes is according to the Qur'ânic injunctions, but the banishment is an addition which is accepted by all the narrators of *Ahâdith*. The punishment of an adultery committed by a married man and woman is *Rajm* (their being stoned to death) according to a general consensus of all the scholars. This also proves that a single confession made by an adulterer or adulteress is sufficient to establish a penal ruling on them and thus subject them to punishment.

[2] *Sûrat Al-Mâ'idah*; Verse 15.

[3] This *Hadîth* proves that a married adulterer or adulteress should at first be flogged and then stoned to death. But the majority of the scholars are of the view that there is no need of flogging in this case and only *Rajm* is sufficient. They maintain that the penalty of flogging for an adulterer is no longer valid as the Prophet صلى الله عليه وسلم did not flog Mâ'iz but only stoned him to death.

Messenger صلى الله عليه وسلم called him and said, "Are you mad?" He replied, "No." He asked, "Are you married?" He replied, "Yes." The Prophet صلى الله عليه وسلم thereupon said, "Take him away and stone him to death."[1] [Agreed upon].

قَالَ: لاَ، قَالَ: «فَهَلْ أَحْصَنْتَ؟» قَالَ: نَعَمْ، فَقَالَ النَّبِيُّ ﷺ: «اذْهَبُوا بِهِ، فَارْجُمُوهُ». مُتَّفَقٌ عَلَيْهِ.

**1037.** Narrated Ibn 'Abbâs رضي الله عنهما: "When Mâ'iz bin Mâlik came to the Prophet صلى الله عليه وسلم and he[2] said, "Perhaps you kissed or touched, or looked at," he replied, "No, O Allâh's Messenger." [Reported by Al-Bukhâri].

(١٠٣٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَمَّا أَتَى مَاعِزُ بْنُ مَالِكٍ إِلَى النَّبِيِّ ﷺ قَالَ لَهُ: «لَعَلَّكَ قَبَّلْتَ، أَوْ غَمَزْتَ، أَوْ نَظَرْتَ»، قَالَ: لاَ، يَا رَسُولَ اللهِ! رَوَاهُ الْبُخَارِيُّ.

**1038.** Narrated 'Umar bin Al-Khattâb رضي الله عنه: He addressed the people and said, "Allâh sent Muhammad with the Truth and sent down the Book to him, and the verse of stoning was included in what Allâh sent down. We recited, memorized and understood it. Allâh's Messenger صلى الله عليه وسلم had people stoned to death and we have done it also since his death. I am afraid that when a long time passes people may say, "We do not find stoning in Allâh's Book, and thus they may go astray by abandoning an obligation sent down by Allâh. Stoning is an obligation laid down in the Book[3] of Allâh the Most

(١٠٣٨) وَعَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ خَطَبَ، فَقَالَ: إِنَّ اللَّهَ بَعَثَ مُحَمَّداً بِالْحَقِّ، وَأَنْزَلَ عَلَيْهِ الْكِتَابَ، فَكَانَ فِيمَا أَنْزَلَ اللَّهُ عَلَيْهِ آيَةَ الرَّجْمِ، قَرَأْنَاهَا، وَوَعَيْنَاهَا، وَعَقَلْنَاهَا، فَرَجَمَ رَسُولُ اللهِ ﷺ، وَرَجَمْنَا بَعْدَهُ، فَأَخْشَى إِنْ طَالَ بِالنَّاسِ زَمَانٌ أَنْ يَقُولَ قَائِلٌ: مَا نَجِدُ الرَّجْمَ فِي كِتَابِ اللهِ، فَيَضِلُّوا بِتَرْكِ فَرِيضَةٍ أَنْزَلَهَا اللَّهُ، وَأَنَّ الرَّجْمَ حَقٌّ فِي كِتَابِ اللهِ تَعَالَى عَلَى مَنْ زَنَى، إِذَا أَحْصَنَ، مِنَ الرِّجَالِ وَالنِّسَاءِ، إِذَا قَامَتِ الْبَيِّنَةُ، أَوْ كَانَ الْحَبَلُ، أَوِ الاعْتِرَافُ. مُتَّفَقٌ عَلَيْهِ.

[1] The one who made this confession was Mâ'iz Aslami. This *Hadîth* explains that a judge must make a thorough investigation prior to passing a verdict in regard to the prescribed punishment lest someone should be deprived of his life due to some judgemental error.

[2] Mâ'iz had confessed to have committed fornication.

[3] Except An-Nasâ'i, this *Hadîth* has been reported by all the *Muhaddithîn* and narrated by various Companions of the Prophet صلى الله عليه وسلم. It has been reported by Ubai bin Ka'b that *Sûrah Al-Ahzâb* (in its originally revealed form) used to be as voluminous as *Sûrah Al-Baqarah*. It only exists now in its present form while the rest of it got abrogated. Ubai bin Ka'b reports, "We used to recite this verse to the effect that whenever a married man

High for married men and women who commit fornication when proof is established, or there is pregnancy, or a confession." [Agreed upon].

**1039.** Narrated Abû Huraira رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم say, "When the slave-woman[1] of any of you commits fornication and the matter is clear, he should give her the appropriate canning, but not hurl rebukes at her. If she does it again he should give her the appropriate canning, but not hurl rebukes at her. If she does it a third time and the matter is clear, he should sell her, even if only for a rope of hair." [Agreed upon; the version being Muslim's].

(١٠٣٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَىٰ عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا زَنَتْ أَمَةُ أَحَدِكُمْ، فَتَبَيَّنَ زِنَاهَا، فَلْيَجْلِدْهَا الْحَدَّ، وَلَا يُثَرِّبْ عَلَيْهَا، ثُمَّ إِنْ زَنَتْ فَلْيَجْلِدْهَا الْحَدَّ، وَلَا يُثَرِّبْ عَلَيْهَا، ثُمَّ إِنْ زَنَتِ الثَّالِثَةَ، فَتَبَيَّنَ زِنَاهَا، فَلْيَبِعْهَا، وَلَوْ بِحَبْلٍ مِنْ شَعَرٍ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

**1040.** Narrated 'Ali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Carry out the prescribed punishment on your slaves." [Reported by Abû Dâ'ud; it occurs in Muslim's book as *Mawqûf*].

(١٠٤٠) وعن عليٍّ رضي الله عنه قال: قال رسول الله ﷺ: «أَقِيمُوا الْحُدُودَ عَلَى مَا مَلَكَتْ أَيْمَانُكُم» رَوَاهُ أبو دَاوُدَ، وهو في مُسْلِمٍ مَوْقُوفٌ.

**1041.** Narrated 'Imrân bin Husain رضي الله عنهما: A woman of Juhaina came

(١٠٤١) وَعَنْ عِمْرَانَ بْنَ حُصَيْنٍ

and woman commit an act of adultery, stone them to death!" Later, the recitation of this verse was declared as abrogated but its ruling still remained effective as it was; this is also a kind of abrogation. A ruling concerning fornication requires three evidents, which are: a) Four witnesses, b) a confession thus made to this effect, c) pregnancy. This third condition applies to women only. A woman who is neither married, nor a slave, will be subjected to the punishment ruling in case her pregnancy becomes manifest.

[1] This authority of subjecting a male or female slave to the appropriate ruling has been vested in the hands of his/her master. The rest of the people shall be governed by the state in this matter. If the female-slave happens to be a married one, then there is a difference of opinions among the scholars as to whether the responsibility of subjecting her to a *Shari'a* ruling devolves on the state or the master himself. Moreover, a female slave may only be flogged and the ruling of the death-penalty by stoning does not apply on her. In flogging too, her punishment is limited to fifty lashes only. An evidence to this effect is a verse from the Qur'ân which says, "Their share is just a half of the punishment to what is appointed to the lot of the married (free) women."

to the Prophet صلى الله عليه وسلم - when she was pregnant owing to fornication - and said, "O Allâh's Prophet, I have committed something for which a prescribed punishment is due, so execute it on me." Allâh's Messenger صلى الله عليه وسلم called her guardian and said, "Treat her well and when she delivers[1] bring her to me," and he did so. Then He gave order regarding her and her clothes were tied around her body and then He gave command regarding her and she was stoned to death. He then prayed over her. 'Umar thereupon said, "Do you pray over her, O Allâh's Prophet, yet she has committed fornication?" He replied, "She has repented to such an extent that if it were divided among seventy people of Al-Madîna, it would be enough for them all. Have you found any repentance better than she having sacrificed herself for the sake of Allâh the Most High?" [Reported by Muslim].

رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ امْرَأَةً مِّنْ جُهَيْنَةَ أَتَتِ النَّبِيَّ ﷺ، وَهِيَ حُبْلَى مِنَ الزِّنَا، فَقَالَتْ: يَا نَبِيَّ اللهِ! أَصَبْتُ حَدًّا، فَأَقِمْهُ عَلَيَّ، فَدَعَا رَسُولُ اللهِ ﷺ وَلِيَّهَا، فَقَالَ: «أَحْسِنْ إِلَيْهَا، فَإِذَا وَضَعَتْ فَأْتِنِي بِهَا»، فَفَعَلَ، فَأَمَرَ بِهَا فَشُكَّتْ عَلَيْهَا ثِيَابُهَا، ثُمَّ أَمَرَ بِهَا فَرُجِمَتْ، ثُمَّ صَلَّى عَلَيْهَا، فَقَالَ عُمَرُ: أَتُصَلِّي عَلَيْهَا يَا نَبِيَّ اللهِ! وَقَدْ زَنَتْ؟ فَقَالَ: «لَقَدْ تَابَتْ تَوْبَةً، لَوْ قُسِمَتْ بَيْنَ سَبْعِينَ مِنْ أَهْلِ الْمَدِينَةِ لَوَسِعَتْهُمْ، وَهَلْ وَجَدْتَ أَفْضَلَ مِنْ أَنْ جَادَتْ بِنَفْسِهَا لِلَّهِ تَعَالَى؟» رَوَاهُ مُسْلِمٌ.

**1042.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: The Prophet صلى الله عليه وسلم stoned to death a man of Aslam, another one of the Jews and a

(١٠٤٢) وَعَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: رَجَمَ النَّبِيُّ ﷺ رَجُلاً مِّنْ أَسْلَمَ، وَرَجُلاً مِّنَ الْيَهُودِ، وَامْرَأَةً.

[1] This *Hadith* clarifies that a woman must not be subjected to an immediate punishment of adultery but the possibility of her becoming pregnant should also be taken into consideration. In case she does become pregnant, she will not be subjected to the death-penalty until she gives birth to a baby. After the birth of the child, the woman may be subjected to the punishment only on the condition that the milk-feeding and raising of the child arranged and taken care of by another woman. If no such woman can be arranged, her death-penalty be postponed until such a time that the child is weaned off her milk. Even if such a woman happens to be an unmarried one, no punishment will take effect until she gives birth to a child. It is stressed upon her kith and kin to treat her nicely, as usually in such a case the relatives of a woman keep muttering curses and other calumnious remarks about her. Observing any such remark, except the one concerning the Divine interdiction and punishment, is considered as inflicting an injury on her heart, which is an atrocity, and thus unfair and not permissible.

woman."[1] [Reported by Muslim]. The story of stoning the two Jews to death occurs in the two *Sahih* books from Ibn 'Umar's *Hadîth*.

رَوَاهُ مُسْلِمٌ وَقِصَّةُ رَجْمِ الْيَهُودِيَّيْنِ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ ابْنِ عُمَرَ.

**1043.** Narrated Sa'îd[2] bin Sa'd bin 'Ubâda رضي الله عنه: A small weak man was living in our clan and he had illicit intercourse with a slave-woman of theirs. Sa'îd informed Allâh's Messenger صلى الله عليه وسلم about that and he said, "Strike him the appropriate canes."[3] They replied, "He is such weak that he would not bear that." He then said, "Get a stalk of the raceme of a palm-tree with a hundred twigs and strike him just once," and they did so. [Reported by Ahmad, An-Nasâ'i and Ibn Mâjah, its chain of narrators is *Hasan*, but there was disagreement regarding whether it is *Mausul* (connected) or *Mursal* (disreferred)].

(١٠٤٣) وَعَنْ سَعِيدِ بْنِ سَعْدِ بْنِ عُبَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ فِي أَبْيَاتِنَا رُوَيْجِلٌ ضَعِيفٌ، فَخَبَثَ بِأَمَةٍ مِنْ إِمَائِهِمْ فَذَكَرَ ذَلِكَ سَعْدٌ لِرَسُولِ اللَّهِ ﷺ، فَقَالَ: «اضْرِبُوهُ حَدَّهُ»، فَقَالُوا: يَا رَسُولَ اللَّهِ! إِنَّهُ أَضْعَفُ مِنْ ذَلِكَ، فَقَالَ: «خُذُوا عِثْكَالاً فِيهِ مِائَةُ شِمْرَاخٍ، ثُمَّ اضْرِبُوهُ بِهِ ضَرْبَةً وَاحِدَةً»، فَفَعَلُوا. رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ وَابْنُ مَاجَهْ، وَإِسْنَادُهُ حَسَنٌ، لَكِنِ اخْتُلِفَ فِي وَصْلِهِ وَإِرْسَالِهِ.

**1044.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If you find anyone doing the deed of Lot's

(١٠٤٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ

---

[1] The Prophet صلى الله عليه وسلم executed four persons by stoning in his time. The first one is the above-mentioned incident of a woman, the second one was a person belonging to Banu Aslam Tribe (i.e., Mâ'iz bin Mâlik) and two Jewish persons (a man and a woman). This explains that the *Shari'a* penal rulings will also apply on the non-believers exactly in the same manner as they apply on Muslims.

[2] Sa'îd bin Sa'd bin 'Ubada Al-Ansâri As-Sâ'idi was a *Sahâbi*. It is also said that he was a *Tabi'î* who was reliable and narrated few *Ahadîth*. He governed Yemen for 'Ali bin Abû Tâlib.

[3] This *Hadîth* states that a bachelor fornicator, due to some natural cause or sickness, if becomes so weak and incapacitated that he is most likely to die after having stricken with the complete punishment of 100 lashes, some leniency may be observed in his penalty. The number of 100 lashes shall not be decreased, but however, a smaller stick instead of a big stick for lashing may be used. Moreover, there may be a difference in the manner of striking as the same could be done lightly instead of whacking the same down on him with a tremendous force.

people[1], kill the one who does it and the one to whom it is done;[2] and if you find anyone having sexual intercourse with an animal, kill him and kill the animal." [Reported by Ahmad and *Al-Arba'a*. Its narrators are reliable, but there is some difference regarding it].

وَجَدْتُمُوهُ يَعْمَلُ عَمَلَ قَوْمِ لُوطٍ، فَاقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ، وَمَنْ وَجَدْتُمُوهُ وَقَعَ عَلَى بَهِيمَةٍ فَاقْتُلُوهُ وَاقْتُلُوا الْبَهِيمَةَ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَرِجَالُهُ مُوَثَّقُونَ. إِلَّا أَنَّ فِيهِ ٱخْتِلَافاً.

**1045.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم had punished the people with the lashes and also banished[3] them, and Abu Bakr رضي الله عنه has done it also." [Reported by At-Tirmidhi, its narrators are reliable, but it was disagreed whether it is *Mawqûf* (untraceable) or *Marfû'* (traceable)].

(١٠٤٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ ضَرَبَ وَغَرَّبَ، وَأَبُو بَكْرٍ ضَرَبَ وَغَرَّبَ. رَوَاهُ التِّرْمِذِيُّ، وَرِجَالُهُ ثِقَاتٌ، إِلَّا أَنَّهُ ٱخْتُلِفَ فِي وَقْفِهِ وَرَفْعِهِ.

**1046.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم cursed hermaphrodites of men, and women who imitate men[4] and said, "Chase

(١٠٤٦) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الْمُخَنَّثِينَ مِنَ الرِّجَالِ، وَالْمُتَرَجِّلَاتِ مِنَ

---

[1] i.e. Homosexualism.

[2] There is difference of opinions among scholars in regard to the punishment for the one who commits an act of sodomy with a man or woman, because no other punishment is prescribed in any of the sound *Ahâdith* except the death penalty, which means that the opinions are different in regard to the mode and manner of carrying out the capital punishment. Some are of the opinion that such a person should be stoned to death, some observe that he should be thrown away from a lofty place, whereas another group is of the view that he should be set afire, but all these rulings and opinions are erroneous. The most appropriate and correct thing is that the ruling of a fornicator shall be applicable on him. If married, he will be stoned to death, if otherwise, he will be subjected to the penalty of 100 lashes with a possible extradition from the land. Allâh knows the best.

[3] Some people are of the opinion that the punishment of expatriation has been abrogated and therefore is not valid any more. This *Hadith* refutes this viewpoint on the plea that so long as the miscreants were being sent into exile during the reign of the righteous caliphs, where is the evidence proving that such a ruling has been abrogated?

[4] This *Hadîth* proves that a man and woman practising transvestism and assuming the manners of the opposite genders are accursed and this is a tremendous sinful act. The eunuchs are of two kinds. Some, in their instincts and bodily physique, resemble women whereas the others resemble males. The eunuch must assume the dress and manners of the gender he naturally resembles and physically conforms to.

النِّسَاءِ، وَقَالَ: «أَخْرِجُوهُمْ مِنْ بُيُوتِكُمْ». رَوَاهُ الْبُخَارِيُّ.

them out of your houses." [Reported by Al-Bukhâri].

(١٠٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ادْفَعُوا الْحُدُودَ مَا وَجَدْتُمْ لَهَا مَدْفَعاً». أَخْرَجَهُ ابْنُ مَاجَهْ، وَسَنَدُهُ ضَعِيفٌ.

وَأَخْرَجَهُ التِّرْمِذِيُّ وَالْحَاكِمُ، مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، بِلَفْظِ: ادْرَءُوا الْحُدُودَ عَنِ الْمُسْلِمِينَ مَا اسْتَطَعْتُمْ. وَهُوَ ضَعِيفٌ أَيْضاً.

وَرَوَاهُ الْبَيْهَقِيُّ، عَنْ عَلِيٍّ، مِنْ قَوْلِهِ، بِلَفْظِ: ادْرَءُوا الْحُدُودَ بِالشُّبُهَاتِ.

**1047.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Avert the infliction of prescribed penalties as much as you can." [Ibn Mâjah reported it with a weak *Isnâd*].

At-Tirmidhi and Al-Hâkim reported the aforesaid *Hadîth* from 'Aisha رضي الله عنها with this version: "Avert the infliction of prescribed penalties[1] on Muslims as much as you can." [It is *Da'if* too].

Al-Baihâqi reported the aforesaid *Hadîth* on the authority of 'Ali (رضي الله عنه) from his saying with this version: "Avert the infliction of prescribed penalties by rejecting doubtful evidences."

(١٠٤٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اجْتَنِبُوا هَذِهِ الْقَاذُورَاتِ الَّتِي نَهَى اللَّهُ تَعَالَى عَنْهَا، فَمَنْ أَلَمَّ بِهَا فَلْيَسْتَتِرْ بِسِتْرِ اللهِ تَعَالَى، وَلْيَتُبْ إِلَى اللهِ تَعَالَى، فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمْ عَلَيْهِ كِتَابَ اللهِ تَعَالَى». رَوَاهُ

**1048.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Avoid these filthy things which Allâh the Most High has forbidden, and if anyone commits any of them he should conceal himself with Allâh's Most High Veil and turn to Allâh in repentance, for if anyone uncovers his hidden faults (to which prescribed penalties apply) we shall inflict on him the punishment ordained by Allâh the Most High." [Reported by

[1] If there is a doubt concerning the veracity of an evidence leading to a punishment verdict, such a ruling and trial must be dismissed forthwith. This *Hadith* does not imply that no ruling should be pronounced at all, but it only implies that no punishment verdict be pronounced unless the commission of a crime becomes proven without a shadow of doubt. The commoners are instructed to refrain from entering a case in a court of law unless they have a complete set of evidence in their support to prove someone guilty of crime.

Al-Hâkim, and it occurs in *Muwatta'* of Imâm Mâlik among Zaid bin Aslam's[1] *Ahadîth* which are *Marasil* (disreferred)].

الْحَاكِمُ، وَهُوَ فِي الْمُوَطَّإِ مِنْ مَرَاسِيلِ زَيْدِ بْنِ أَسْلَمَ.

## Chapter 2 THE PRESCRIBED PUNISHMENT FOR FOUL ACCUSATION

## ٢ - بَابُ حَدِّ الْقَذْفِ

**1049.** Narrated 'Aisha رضي الله عنها: "When my vindication came down[2] Allâh's Messenger صلى الله عليه وسلم mounted the pulpit and mentioned that and recited the (respective verses of) the Qur'ân. Then when he came down, he ordered that two men and woman[3] should be given the prescribed beating."[4] [Ahmad and *Al-Arba'a* reported it; Al-Bukhâri referred to it].

(١٠٤٩) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: لَمَّا نَزَلَ عُذْرِي، قَامَ رَسُولُ اللَّهِ ﷺ عَلَى الْمِنْبَرِ، فَذَكَرَ ذٰلِكَ، وَتَلَا الْقُرْآنَ، فَلَمَّا نَزَلَ أَمَرَ بِرَجُلَيْنِ وَامْرَأَةٍ فَضُرِبُوا الْحَدَّ. أَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَأَشَارَ إِلَيْهِ الْبُخَارِيُّ.

**1050.** Narrated Anas bin Mâlik رضي الله عنه: Invoking curses in Islâm was first applied when Hilâl bin Umaiya[5] foul

(١٠٥٠) وَعَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: أَوَّلُ لِعَانٍ كَانَ فِي

[1] He was a *Sahâbi* from the tribe of Al-Balawi. He belonged to Banu Al-'Ajlân clan, the allies of Banu 'Amr bin 'Auf of Al-Ansar. He witnessed Badr and it is said that he also witnessed Siffin with 'Ali, but Hishâm Al-Kalabi said, he was killed by Tulaiha bin Khuwailid Al-Asadi on the day of Bazâkha in the year 11 H. at the beginning of Abû Bakr's Caliphate.

[2] *Sûrat An-Nûr*, Verse 11.

[3] The men were said to have been Mistah bin Athâtha and Hassân bin Thâbit and the woman Hamna, daughter of Jahsh.

[4] If someone accuses a man or woman of fornication, and is unable to prove it by presenting four witnesses, his punishment shall be eighty lashes. Some hypocrites slandered 'Aisha رضي الله عنها of adultery. They publicised and propagated this calumny with such a slyness that some of the sincere and pious believers fell prey to their machination, believed the accusation to be based on fact and did participate in gossipmongering about it. When 'Aisha رضي الله عنها was exonerated of this blame by the revelation of the verses in Qur'ân, the Prophet صلى الله عليه وسلم announced a corporal punishment for the believers, but said nothing to the hypocrites, for he left their punishment to Allâh. These three believers who were thus punished are Hassân bin Thâbit, Mistah bin Athatha and Hamna bint Jahsh رضي الله عنهم.

[5] He was an Ansâri, an Ausi and a Wâqifi and was among the prominent *Sahâba*. He became a Muslim early and used to break the idols of Banu Wâqif. He witnessed Badr, Uhud and held the flag of Banu Wâqif on the day of the conquest of Makka. He was one of the three who failed to join the expedition to Tabûk and were boycotted for 50 days and then pardoned.

accused his wife of having committed fornication with Sharik bin Sahmâ[1]," so Allah's Messenger صلى الله عليه وسلم told him, "You must produce evidence or receive punishment on your back."[2] [Abû Ya'la reported the *Hadîth* and its narrators are reliable]. Something similar to the aforesaid *Hadîth* occurs in Al-Bukhâri's book from the *Hadîth* of Ibn 'Abbâs رضي الله عنهما.

الإِسْلَامِ أَنَّ شَرِيكَ بْنَ سَحْمَاءَ قَذَفَهُ هِلَالُ بْنُ أُمَيَّةَ بِامْرَأَتِهِ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «الْبَيِّنَةَ، وَإِلاَّ فَحَدٌّ فِي ظَهْرِكَ»، الْحَدِيثَ. أَخْرَجَهُ أَبُو يَعْلَى، وَرِجَالُهُ ثِقَاتٌ، وَفِي الْبُخَارِيِّ نَحْوُهُ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا.

**1051.** Narrated 'Abdullâh bin 'Aamir bin Rabi'a: "I have witnessed the time of Abû Bakr, 'Umar and 'Uthmân (رضي الله عنهم) and those who came after them, but I did not see them beat the slave for foul accusation but forty lashes."[3] [Reported by Mâlik and Ath-Thauri, the latter has it in his book *Al-Jâmi'*.

(١٠٥١) وَعَنْ عَبْدِاللهِ بْنِ عَامِرِ بْنِ رَبِيعَةَ قَالَ: لَقَدْ أَدْرَكْتُ أَبَا بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَمَنْ بَعْدَهُمْ، فَلَمْ أَرَهُمْ يَضْرِبُونَ الْمَمْلُوكَ فِي الْقَذْفِ إِلاَّ أَرْبَعِينَ. رَوَاهُ مَالِكٌ وَالثَّوْرِيُّ فِي جَامِعِهِ.

**1052.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone reviles his slave he will be metted with the prescribed penalty on the Day of Resurrection,[4] unless it is as he said." [Agreed upon].

(١٠٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَذَفَ مَمْلُوكَهُ يُقَامُ عَلَيْهِ الْحَدُّ يَوْمَ الْقِيَامَةِ، إِلاَّ أَنْ يَكُونَ كَمَا قَالَ». مُتَّفَقٌ عَلَيْهِ.

---

[1] He was a Balawi and an ally of the *Ansâr*. Hilâl bin Umaiya accused him with committing fornication with his wife. It is said that he attended Uhud with his father. He was the maternal brother of Barâ' bin Mâlik, his father's name is 'Abada bin Mu'tib and As-Sahmâ' was his mother's name.

[2] If a man accuses his wife of committing adultery, he is required either to produce witnesses or invoke a curse of Allâh on him if he be of those who tell a lie (against her), or else he will have to face the punishment of slandering. If he names a person to be her accomplice in this matter, he will have to produce witnesses invariably to this end. As far as his own wife is concerned, he could escape the punishment of slandering by invoking a curse of Allâh on himself (in case he is lying about her), but what about the man whom he has accused of being an accomplice in this sinful act? He has no choice but: a) either to produce witnesses in support of his claim or b) to be ready to face the punishment for slandering.

[3] This proves that the penalty prescribed for a male or female slave is just the half of what is apportioned to a free person.

[4] This states that if someone slanders his male or female slave with a false accusation of committing adultery, he will not be subjected to any punishment.

## Chapter 3
## THE PRESCRIBED PENALTY FOR THEFT

## ٣ - بَابُ حَدِّ السَّرِقَةِ

**1053.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "A thief's hand should not be cut off except for a quarter of a Dinâr[1] and upwards." [Agreed upon; the version is of Muslim]. Al-Bukhâri's version is: "A thief's hand is to be cut off for a quarter of a Dinâr and upwards."

(١٠٥٣) عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تُقْطَعُ يَدُ سَارِقٍ إلاَّ فِي رُبُعِ دِينَارٍ فَصَاعِداً». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَلَفْظُ الْبُخَارِيِّ: «تُقْطَعُ يَدُ السَّارِقِ فِي رُبُعِ دِينَارٍ فَصَاعِداً».

In a version by Ahmad is: "Cut off a thief's hand for a quarter of a Dinâr, but do not for what is less than that."

وَفِي رِوَايَةٍ لأَحْمَدَ: «اقْطَعُوا فِي رُبُعِ دِينَارٍ، وَلاَ تَقْطَعُوا فِيمَا هُوَ أَدْنَىٰ مِنْ ذٰلِكَ».

**1054.** Narrated Ibn 'Umar رضي الله عنهما: "The Prophet صلى الله عليه وسلم had (a thief's hand) cut off for a shield worth three Dirhams." [Agreed upon].

(١٠٥٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ النَّبِيَّ ﷺ قَطَعَ فِي مِجَنٍّ ثَمَنُهُ ثَلاَثَةُ دَرَاهِمَ. مُتَّفَقٌ عَلَيْهِ.

**1055.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "May Allâh curse a thief who steals an egg and has his hand cut off, and steals a rope and has his hand cut off."[2] [Agreed upon].

(١٠٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَعَنَ اللَّهُ السَّارِقَ، يَسْرِقُ الْبَيْضَةَ فَتُقْطَعُ يَدُهُ، وَيَسْرِقُ الْحَبْلَ فَتُقْطَعُ يَدُهُ». مُتَّفَقٌ عَلَيْهِ أَيْضاً.

---

[1] There is a difference of opinions among scholars regarding the value and worth of the goods stolen which makes a thief subjected to the punishment of his hand being cut. A study of *Ahâdith* and the quotations from the majority of *'Ulama* prove that any act of theft which is less than one-fourth of a Dinâr in its worth (which used to be equivalent to 3 Dirhams during the days of the Companions of the Prophet صلى الله عليه وسلم) shall not subject a thief to the punishment of the severance of his hand. A quarter Dinâr equals one-and-a-half grams of gold in value.

[2] In this *Hadîth*, one is instigated to develop an attitude of hatred towards the act of stealing. One is made to think how wretched and miserable the life of a thief is who has his hand cut for a mere pittance! After all, what is the worth of a quarter Dinâr? Had it not committed a theft, this very hand was worth the price of fifty camels, but since it has committed a criminal act, it is only worth a quarter Dinâr. *Hadîth* states that so long as this hand was trustworthy, it was precious, but since it turned out to be a treacherous one, it has fallen into disgrace. The stealing of an egg or a rope does not call for someone's hand to be cut off by a common consensus of all the scholars. This is only an exaggeration. Stealing is one of the major sinful acts.

**1056.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Are you interceding[1] regarding one of the punishments prescribed by Allâh?" He then got up and gave an address saying, "O people, what destroyed your predecessors was just that when a person of rank among them committed a theft, they left him alone; but when a weak one of them committed a theft, they inflicted the prescribed punishment on him." [Agreed upon, the version is of Muslim]. It has another authority from 'Aisha رضي الله عنها in which she said, "A woman used to borrow (people's) properties and deny having received them, so the Prophet صلى الله عليه وسلم ordered her hand to be cut off."

(١٠٥٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**أَتَشْفَعُ فِي حَدٍّ مِنْ حُدُودِ اللهِ تَعَالَى؟**» ثُمَّ قَامَ، فَخَطَبَ، فَقَالَ: «**أَيُّهَا النَّاسُ! إِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكُوهُ، وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ**». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ. وَلَهُ مِنْ وَجْهٍ آخَرَ عَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: كَانَتِ امْرَأَةٌ تَسْتَعِيرُ الْمَتَاعَ، وَتَجْحَدُهُ فَأَمَرَ النَّبِيُّ ﷺ بِقَطْعِ يَدِهَا.

**1057.** Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Cutting off the hand is not to be inflicted on a dishonest person, an embezzler and a looter."[2] [Reported by Ahmad and *Al-Arba'a*; At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(١٠٥٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «**لَيْسَ عَلَى خَائِنٍ وَلَا مُخْتَلِسٍ وَلَا مُنْتَهِبٍ قَطْعٌ**». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

---

[1] The incidence goes that a lady known as Fâtima bint Aswad Makhzumiya, who belonged to prominent and respectable family, committed an act of stealing. As the verdict regarding the severance of her hand was pronounced, people started interceding for her acquittal. Usama bin Zaid also interceded for her. The Prophet صلى الله عليه وسلم made a statement comprising words mentioned in this *Hadith*. The owner of the goods which are stolen, has a right to grant a pardon to the thief and to not to have his/her hand cut off prior to bringing the matter in a court of law, but once the case has been handed over to the court, there is no way that the miscreant be excused. His/her hand will than necessarily must be cut off, and making an intercession for his pardon at this juncture is forbidden.

[2] Robbery, embezzlement and treachery do not involve the punishment of cutting the hand off. Treachery implies that a person who has been entrusted with the obligation of safeguarding the wealth belonging to another person, and this person in whose possession the wealth rest now, secretly and insincerely makes away with the wealth belonging to another person while also affecting false sincerity to his face. Robbery is depriving a person of his wealth in an openly heavy-handed manner. Embezzlement is the act of taking away the unpreserved wealth of another person in his absence. The penalties for these acts of felony differ according to the opinion of the ruler just like other financial matters. The

**1058.** Narrated Râfi' bin Khadij رضى الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم say, "The hand is not to be cut off for taking fruits or the pith of the palm-tree."[1] [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(١٠٥٨) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ «لاَ قَطْعَ فِي ثَمَرٍ، وَلاَ فِي كَثَرٍ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ وَصَحَّحَهُ أَيْضاً التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**1059.** Narrated Abû Umaiya Al-Makhzûmi[2] رضى الله عنه: A thief who had made a confession was brought to Allâh's Messenger صلى الله عليه وسلم, but no goods were found with him. Allâh's Messenger صلى الله عليه وسلم told him, "I do not think you have stolen." He replied, "Yes, I did."[3] He repeated it to him twice or thrice, so he gave command regarding him and his hand was cut off. He was then brought to him and Allâh's Messenger صلى الله عليه وسلم said, "Ask Allâh's pardon and turn

(١٠٥٩) وَعَنْ أَبِي أُمَيَّةَ الْمَخْزُومِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أُتِيَ رَسُولُ اللهِ ﷺ بِلِصٍّ قَدِ اعْتَرَفَ اعْتِرَافاً، وَلَمْ يُوجَدْ مَعَهُ مَتَاعٌ، فَقَالَ لَهُ رَسُولُ اللهِ ﷺ: «مَا إِخَالُكَ سَرَقْتَ»، قَالَ: بَلَى، فَأَعَادَ عَلَيْهِ مَرَّتَيْنِ أَوْ ثَلاَثاً، فَأَمَرَ بِهِ، فَقُطِعَ، وَجِيءَ بِهِ، فَقَالَ: «اسْتَغْفِرِ اللَّهَ، وَتُبْ إِلَيْهِ». فَقَالَ: أَسْتَغْفِرُ اللَّهَ، وَأَتُوبُ إِلَيْهِ. فَقَالَ: «اللَّهُمَّ تُبْ عَلَيْهِ»

---

definition of stealing is thus also explained, i.e., it implies the act of taking away the safely preserved wealth of a person in his absence or making away with the safely preserved wealth while the owner is unaware of it. However, if a person borrows something from someone and later denies and flatly refuses having borrowed it at all, the prescribed punishment for such a person is the cutting off of his hand.

[1] The stealing of fruits and flowers does not subject the severance of a thief's hand in case there is no wall around the garden. If the garden happens to be surrounded by a wall, its contents shall be regarded as preserved ones. However, a wayfarer, who has not been offered food by the residents of the town, has a right to eat the fruits off the walled garden too.

[2] He is a *Sahâbi* from Al-Hijâz who has narrated one *Hadîth*. Hamâd bin Salama said, "He is a Makhzumi," and Humam bin Yahya said, "He is an *Ansâri*."

[3] This *Hadith* explains that two factors have been taken into consideration regarding the punishment of a thief. Either the stolen goods should be recovered from him, or he himself confesses about it. It is not conditional that he confesses twice, just a single affirmation is sufficient to render him liable to punishment. There is a difference of opinions among the scholars as to whether or not a punishment be given on the basis of witnesses in case a theft occurs. In another words, if a suspect neither makes a confession nor anything is recovered out of his possession, whereas the people stand witness to the fact that he has indeed stolen the goods; the ruling concerning such a case is not unanimous on the part of all the scholars. Once the hand is severed from the wrist of a thief, it is necessary to keep it immersed in a sizzling hot oil to stop bleeding. If this norm is not observed and someone dies out of an excessive bleeding, a death thus caused will make the state treasury liable to pay blood money to the successors of the dead person.

ثَلاَثاً. أَخْرَجَهُ أَبُو دَاوُدَ، وَاللَّفْظُ لَهُ، وَأَحْمَدُ وَالنَّسَائِيُّ. وَرِجَالُهُ ثِقَاتٌ.

to Him in repentance." And he replied, "I ask Allâh's pardon and turn to Him in repentance." He then said three times, "O Allâh, forgive him." [Abû Dâ'ud, and Ahmad and An-Nasâ'i reported it; the version is of Abû Dâ'ud; and its narrators are reliable].

وَأَخْرَجَهُ الْحَاكِمُ، مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَسَاقَهُ بِمَعْنَاهُ، وَقَالَ فِيهِ: اذْهَبُوا بِهِ فَاقْطَعُوهُ، ثُمَّ احْسِمُوهُ. وَأَخْرَجَهُ الْبَزَّارُ أَيْضاً، وَقَالَ: لاَ بَأْسَ بِإِسْنَادِهِ.

Al-Hâkim reported the aforesaid *Hadîth* from the narration of Abû Huraira رضي الله عنه, meaning something to the same effect. He said in it, "Take him away and cut off (his hand), then cauterize him." [Al-Bazzâr reported it too saying its chain of narrators is not so sound].

(١٠٦٠) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**لاَ يُغَرَّمُ السَّارِقُ إِذَا أُقِيمَ عَلَيْهِ الْحَدُّ**». رَوَاهُ النَّسَائِيُّ، وَبَيَّنَ أَنَّهُ مُنْقَطِعٌ، وَقَالَ أَبُو حَاتِمٍ: هُوَ مُنْكَرٌ.

**1060.** Narrated 'Abdur-Rahmân bin 'Auf رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A thief is not to be fined if the prescribed punishment has been inflicted[1] on him." [An-Nasâ'i reported and graded it *Munqati*'. Abû Hâtim said, "It is *Munkar*."]

(١٠٦١) وَعَنْ عَبْدِاللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهما، عَنْ رَسُولِ اللَّهِ ﷺ، أَنَّهُ سُئِلَ عَنِ التَّمْرِ الْمُعَلَّقِ، فَقَالَ: «**مَنْ أَصَابَ بِفِيهِ، مِنْ ذِي حَاجَةٍ، غَيْرَ مُتَّخِذٍ خُبْنَةً، فَلاَ شَيْءَ عَلَيْهِ، وَمَنْ خَرَجَ بِشَيْءٍ مِنْهُ فَعَلَيْهِ الْغَرَامَةُ وَالْعُقُوبَةُ، وَمَنْ خَرَجَ بِشَيْءٍ مِنْهُ بَعْدَ أَنْ يُؤْوِيَهُ الْجَرِينُ، فَبَلَغَ ثَمَنَ الْمِجَنِّ، فَعَلَيْهِ الْقَطْعُ**». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ

**1061.** Narrated 'Abdullâh bin 'Amr bin Al-'Aas رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم was asked about dates which were hung up, he said, "If a needy person eats some without taking a supply away in his garment, he is not to be blamed, but if anyone takes away any of it, he is to be fined and punished; and if anyone takes away any of it after it is put in the place where it is dried and it amounts to the price of a shield he must have his hand cut off." [Abû

[1] If the stolen goods are recovered from the thief, the same shall be returned to its rightful owner and the hand of the thief shall be cut according to a common consensus of all scholars. In case the stolen goods are destroyed, then there is a difference of opinions among the scholars regarding the applicable ruling.

Dâ'ud and An-Nasâ'i reported it; Al-Hâkim graded it *Sahih* (sound)].

وَصَحَّحَهُ الْحَاكِمُ.

**1062.** Narrated Safwân bin Umaiya رضي الله عنه: When the Prophet صلى الله عليه وسلم ordered that the thief who had stolen his cloak to be maimed and he[1] interceded regarding him told him, "Why did you not do so before bringing him to me?" [Ahmad and *Al-Arba'a* reported it; Ibn Al-Jârûd and Al-Hâkim graded it *Sahih* (sound)].

(١٠٦٢) وَعَنْ صَفْوَانَ بْنِ أُمَيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ لَهُ - لَمَّا أَمَرَ بِقَطْعِ الَّذِي سَرَقَ رِدَاءَهُ فَشَفَعَ فِيهِ -: «**هَلاَّ كَانَ ذٰلِكَ قَبْلَ أَنْ تَأْتِيَنِي بِهِ؟**» أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَالْحَاكِمُ.

**1063.** Narrated Jâbir رضي الله عنه: A thief was brought to the Prophet صلى الله عليه وسلم and he said, "Kill him." The people said, "He has just stolen, O Allâh's Messenger." Then he said, "Maim him," so this was done. He was brought a second time and he said, "Kill him," and the narrator said the same as he had said before. He was brought a third time and the narrator said the same as he had said before. He was brought a fourth time and the same as before was said. He was brought a fifth time and he said, "Kill him."[2] [Abû Dâ'ud and An-Nasâ'i reported it; the latter graded it *Munkar*]. An-Nasâ'i reported something similar to the aforesaid *Hadîth* from Al-Hârith bin Hâtib[3]. Ash-Shâfi'i mentioned that the killing in the fifth time is abrogated.

(١٠٦٣) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: جِيءَ بِسَارِقٍ إِلَى النَّبِيِّ ﷺ، فَقَالَ: «**اقْتُلُوهُ**»، فَقَالُوا: إِنَّمَا سَرَقَ يَا رَسُولَ اللهِ! قَالَ: «**اقْطَعُوهُ**»، فَقُطِعَ، ثُمَّ جِيءَ بِهِ الثَّانِيَةَ، فَقَالَ: «**اقْتُلُوهُ**»، فَذَكَرَ مِثْلَهُ، ثُمَّ جِيءَ بِهِ الثَّالِثَةَ، فَذَكَرَ مِثْلَهُ، ثُمَّ جِيءَ بِهِ الرَّابِعَةَ كَذٰلِكَ، ثُمَّ جِيءَ بِهِ الْخَامِسَةَ فَقَالَ: «**اقْتُلُوهُ**». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَاسْتَنْكَرَهُ، وَأَخْرَجَ مِنْ حَدِيثِ الْحَارِثِ بْنِ حَاطِبٍ نَحْوَهُ، وَذَكَرَ الشَّافِعِيُّ أَنَّ الْقَتْلَ فِي الْخَامِسَةِ مَنْسُوخٌ.

[1] i.e. Safwân.

[2] The proper order prescribed as such in cutting the hands and feet of a thief is that on the first commission of the crime, his right hand shall be cutoff. Second time it will be his left foot, the third time his left hand and the fourth time his right foot.

[3] He was a Jumahi, a Qurashi and was born in Abyssinia (Ethiopia). He governed Makka in 66 H. for 'Abdullâh bin Az-Zubair. He served him for six years and was incharge of Al-Masâ'i for Marwân while he was the governor of Al-Madîna for Mu'âwiya.

## Chapter 4
## THE PRESCRIBED PUNISHMENT FOR DRINKING AND EXPLANATION OF INTOXICATION

## ٤ - بَابُ حَدِّ الشَّارِبِ وَبَيَانِ الْمُسْكِرِ

**1064.** Narrated Anas bin Mâlik رضی الله عنه: A man who had drunk wine[1] was brought to the Prophet صلی الله علیه وسلم and he gave command regarding him and the man was given about forty stripes with two palm branches. Anas said: 'Abû Bakr رضی الله عنه also did that, but when 'Umar رضی الله عنه became the caliph, he consulted the people and 'Abdur-Rahmân bin 'Auf (رضی الله عنه) said, "The mildest punishment (for drinking wine) is eighty (stripes)." So 'Umar رضی الله عنه fixed that. [Agreed upon].

(١٠٦٤) عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ أُتِيَ بِرَجُلٍ قَدْ شَرِبَ الْخَمْرَ، فَجَلَدَهُ بِجَرِيْدَتَيْنِ نَحْوَ أَرْبَعِيْنَ. قَالَ: وَفَعَلَهُ أَبُو بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فَلَمَّا كَانَ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، ٱسْتَشَارَ النَّاسَ، فَقَالَ عَبْدُ الرَّحْمٰنِ بْنُ عَوْفٍ: أَخَفُّ ٱلْحُدُودِ ثَمَانُونَ، فَأَمَرَ بِهِ عُمَرُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ. مُتَّفَقٌ عَلَيْهِ.

Muslim has from 'Ali رضی الله عنه regarding the story of Al-Walid bin 'Uqba[2]: "The Prophet صلی الله علیه وسلم

وَلِمُسْلِمٍ عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ فِي قِصَّةِ الْوَلِيْدِ بْنِ عُقْبَةَ: جَلَدَ النَّبِيُّ ﷺ

[1] In Arabic, the literal meaning of *Khamr* is to hide, cover or conceal. When the wine induces intoxication, it overwhelms the mind of its user and hence it is known as *Khamr*. In the terminology of *Shari'a* (the Islâmic law), anything which induces intoxication is *Harâm* (forbidden) and the thing which does strike a person senseless is wine. There is a common consensus among the scholars to the effect that it is forbidden and there is a punishment prescribed for the one who partakes of it, but there is a difference of opinions however, in the matter of a prescribed punishment for the person using it. During the days of the Prophet صلی الله علیه وسلم and Abu Bakr Siddiq رضی الله عنه, the penalty of a wine-drinker was forty lashes. 'Umar رضی الله عنه increased the punishment to become eighty lashes during his reign which later became a standard form of punishment (accepted by all). Therefore some of the *Imâm* have prescribed a punishment of eighty lashes in their rulings. Since the punishment of eighty lashes did not exist during the days of the Prophet صلی الله علیه وسلم, some of the scholars are of the view that the punishment in such a case is 40 lashes. Another point of dissension in regard to the punishment is that whether it is important to punish the miscreant necessarily with whipping (by using a scourge) or the use of a cane or a shoe will do the needful and serve the purpose. According to the majority view, it is permissible to use any of the objects, (i.e., a scourge, a shoe or a cane) while carrying out a punishment ruling on a person.

[2] Al-Walid bin 'Uqba bin Abû Mu'ait Al-Qurashi was the maternal brother of 'Uthmân bin 'Affân. He became a Muslim on the day of *Al-Fath*. He was among Quraish's most humorous, tolerant, brave and poetic men. 'Uthmân appointed him to govern Kufa and then retired him for alleged alcohol drinking. He abstained from involving himself in the *Fitna* after the killing of 'Uthmân, settled at Ruqa and died there. He was buried at Bulaikh.

inflicted forty stripes; Abû Bakr (رضى الله عنه) also inflicted forty stripes, but 'Umar (رضى الله عنه) inflicted eighty stripes, all of them are in accordance with the *Sunna*, but this one (i.e. forty stripes) is dearer to me. The *Hadîth* contains: A man gave witness that he had seen him[1] vomiting wine. 'Uthmân (رضى الله عنه) said, "He would not have vomited it unless he had drunk it."

أَرْبَعِينَ، وَأَبُو بَكْرٍ أَرْبَعِينَ، وَعُمَرُ ثَمَانِينَ، وَكُلٌّ سُنَّةٌ، وَهٰذَا أَحَبُّ إِلَيَّ. وَفِي هٰذَا الْحَدِيثِ أَنَّ رَجُلاً شَهِدَ عَلَيْهِ أَنَّهُ رَآهُ يَتَقَيَّأُ الْخَمْرَ، فَقَالَ عُثْمَانُ إِنَّهُ لَمْ يَتَقَيَّأْهَا حَتَّى شَرِبَهَا.

**1065.** Narrated Mu'âwiya رضى الله عنه: The Prophet صلى الله عليه وسلم - regarding a drunkard - said, "If he drinks wine, flog him, then if he drinks it for the second time, flog him, then if he drinks it for the third time flog him; then if he drinks it for the fourth time, you should kill him." [Ahmad reported it and this is his version; *Al-Arba'a* reported it too; At-Tirmidhi mentioned what indicate that it is abrogated;[2] Abû Dâ'ud reported that in clear narration from Az-Zuhri].

(١٠٦٥) وَعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ، أَنَّهُ قَالَ فِي شَارِبِ الْخَمْرِ: **«إِذَا شَرِبَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الثَّانِيَةَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الثَّالِثَةَ فَاجْلِدُوهُ، ثُمَّ إِذَا شَرِبَ الرَّابِعَةَ فَاضْرِبُوا عُنُقَهُ»**. أَخْرَجَهُ أَحْمَدُ وَهٰذَا لَفْظُهُ، وَالأَرْبَعَةُ، وَذَكَرَ التِّرْمِذِيُّ مَا يَدُلُّ عَلَىٰ أَنَّهُ مَنْسُوخٌ، وَأَخْرَجَ ذٰلِكَ أَبُو دَاوُدَ صَرِيحاً عَنِ الزُّهْرِيِّ.

**1066.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you inflicts a beating he should avoid (striking on) the face."[3] [Agreed upon].

(١٠٦٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«إِذَا ضَرَبَ أَحَدُكُمْ فَلْيَتَّقِ الْوَجْهَ»**. مُتَّفَقٌ عَلَيْهِ.

---

[1] i.e. Al-Walid.

[2] Imâm Shâfi'i رحمه الله reported a general consensus to the effect that a wine-drinker, in no way, can be sentenced to death, no matter how often he drinks it. Similarly, each time a person is caught drinking wine, a fresh punishment ruling will be pronounced on him, regardless how often he has been penalised earlier under the same ruling, and there is a consensus of all the scholars to this end.

[3] Whenever a person is being thrashed according to a punishment sentence thus pronounced on him, the person implementing such a sentence must avoid striking the culprit's face. Even if someone disciplinary punishes a child or a woman, he must never ever strike them on the face.

**1067.** Narrated Ibn 'Abbâs رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The prescribed punishments are not to be executed in the mosques."[1] [Reported by At-Tirmidhi and Al-Hâkim].

(١٠٦٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا تُقَامُ الْحُدُودُ فِي الْمَسَاجِدِ». رَوَاهُ التِّرْمِذِيُّ وَالْحَاكِمُ.

**1068.** Narrated Anas رضى الله عنه: Allâh has sent down the verses regarding the prohibition of wine when there was no other liquor to be drunk in Al-Madîna but what was prepared from dates. [Muslim reported it].

(١٠٦٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَقَدْ أَنْزَلَ اللَّهُ تَحْرِيمَ الْخَمْرِ، وَمَا بِالْمَدِينَةِ شَرَابٌ يُشْرَبُ إِلَّا مِنْ تَمْرٍ. أَخْرَجَهُ مُسْلِمٌ.

**1069.** Narrated 'Umar رضى الله عنه: "The prohibition of wine was revealed and it was made from five things: grapes, dates, honey, wheat and barley.[2] *Khamr* (wine) is what infects the mind. [Agreed upon].

(١٠٦٩) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَزَلَ تَحْرِيمُ الْخَمْرِ وَهِيَ مِنْ خَمْسَةٍ: مِنَ الْعِنَبِ، وَالتَّمْرِ، وَالْعَسَلِ، وَالْحِنْطَةِ، وَالشَّعِيرِ، وَالْخَمْرُ مَا خَامَرَ الْعَقْلَ. مُتَّفَقٌ عَلَيْهِ.

**1070.** Narrated Ibn 'Umar رضى الله عنهما: The Prophet صلى الله عليه وسلم said, "Every intoxicant is *Khamr* and every intoxicant is forbidden." [Muslim reported it].

(١٠٧٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «كُلُّ مُسْكِرٍ خَمْرٌ، وَكُلُّ مُسْكِرٍ حَرَامٌ». أَخْرَجَهُ مُسْلِمٌ.

**1071.** Narrated Jâbir رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If a big amount of anything causes intoxication, a small amount[3] of it is prohibited." [Ahmad and *Al-Arba'a* reported it; Ibn Hibbân graded it *Sahih* (sound)].

(١٠٧١) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَا أَسْكَرَ كَثِيرُهُ فَقَلِيلُهُ حَرَامٌ». أَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

[1] This is because the mosques are constructed for the specific purpose of worshipping Allâh and hence they should be kept clean and free from impurities at all times. The blood of the person (sentenced to punishment) should not be spilled there. Such places of worship are sanctified ones and that is where Allâh's mercy abounds while prescribed punishments are Allâh's revenge.

[2] The purpose of mentioning this *Hadîth* is to explain that it is not the wine brewed from the grapes alone which is forbidden, but any kind of liquor, brewed from any object whatsoever, is forbidden. Moreover, anything which intoxicates is forbidden.

[3] It means that anything inducing senselessness and intoxication (if used in a big quantity) is forbidden even if the same is used in a small quantity. (This is irrespective of the fact whether or not a small dose of such an intoxicant creates a feeling of tipsiness or not).

**1072.** Narrated Ibn 'Abbâs رضي الله عنهما: Raisin was steeped for Allâh's Messenger صلى الله عليه وسلم in the water skin and he would drink it on that day, next day and the day following; and when it was the evening of the third day, he would drink it and give something to others. When something of it was left over he would spill it.[1] [Muslim reported it].

(١٠٧٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ يُنْبَذُ لَهُ الزَّبِيبُ فِي السِّقَاءِ، فَيَشْرَبُهُ يَوْمَهُ، وَالْغَدَ، وَبَعْدَ الْغَدِ، فَإِذَا كَانَ مَسَاءُ الثَّالِثَةِ شَرِبَهُ، وَسَقَاهُ، فَإِنْ فَضَلَ شَيْءٌ أَهْرَاقَهُ. أَخْرَجَهُ مُسْلِمٌ.

**1073.** Narrated Umm Salama رضي الله عنها: The Prophet صلى الله عليه وسلم said, "Allâh did not make your cure[2] in what He had made unlawful to you." Al-Baihaqi reported it; Ibn Hibbân graded it *Sahih* (sound)].

(١٠٧٣) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، عَنِ النَّبِيِّ ﷺ قَالَ: «**إِنَّ اللَّهَ لَمْ يَجْعَلْ شِفَاءَكُمْ فِيمَا حَرَّمَ عَلَيْكُمْ**». أَخْرَجَهُ الْبَيْهَقِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1074.** Narrated Wâil Al-Hadrami: Târiq bin Suwaid[3] asked the Prophet صلى الله عليه وسلم about wine which he made only as a medicine and he replied, "It is not a medicine; it is a disease." [Muslim, Abû Dâ'ud and others reported it].

(١٠٧٤) وَعَنْ وَائِلٍ الْحَضْرَمِيِّ، أَنَّ طَارِقَ بْنَ سُوَيْدٍ سَأَلَ النَّبِيَّ ﷺ عَنِ الْخَمْرِ يَصْنَعُهَا لِلدَّوَاءِ، فَقَالَ: «**إِنَّهَا لَيْسَتْ بِدَوَاءٍ، وَلَكِنَّهَا دَاءٌ**». أَخْرَجَهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَغَيْرُهُمَا.

## Chapter 5
## FLOGGING AND THE ORDINANCE REGARDING AN ASSAILANT

## ٥ – بَابُ التَّعْزِيرِ وَحُكْمِ الصَّائِلِ

**1075.** Narrated Abû Burda[4] Al-Ansâri رضي الله عنه: He heard Allah's Messenger صلى الله عليه وسلم say, "No more

(١٠٧٥) عَنْ أَبِي بُرْدَةَ الْأَنْصَارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ

[1] There is a possibility that such a beverage may generate an intoxicating quality. When such a beverage start turning musty and becomes distasteful, one should destroy it. If more than three days old, such a liquor is prohibited to be used. In case it degenerates into an intoxicant prior to a period of three days, the same should be destroyed forthwith.

[2] This informs us that it is prohibited to utilise the forbidden articles, even for a medicinal purpose. These articles include wine, marijuana, opium and hemp, etc.

[3] He is a *Sahâbi* who was also called Suwaid bin Târiq. He was a Hadrami and also said to be a Ju'fi. He has this *Hadith* which the people of Kufa narrated from him.

[4] He is Hâni' bin Niyâr who was a *Sahâbi* from Balawi tribe. He was an ally of *Al-Ansâr*, witnessed Badr and the other battles. He died in the year 41 H. or 42 or 45 H.

than ten lashes[1] are to be given, except in the case of one of the punishments prescribed by Allâh the Most High." [Agreed upon].

يَقُولُ: «لَا يُجْلَدُ فَوْقَ عَشَرَةِ أَسْوَاطٍ إِلَّا فِي حَدٍّ مِنْ حُدُودِ اللهِ تَعَالَى». مُتَّفَقٌ عَلَيْهِ.

**1076.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said, "Forgive the people of good qualities their slips,[2] but not faults to which prescribed punishments apply." [Reported by Ahmad, Abû Dâ'ud, An-Nasâ'i and Al-Baihaqi].

(١٠٧٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا أَنَّ النَّبِيَّ ﷺ قَالَ: «أَقِيلُوا ذَوِي الْهَيْئَاتِ عَثَرَاتِهِمْ إِلَّا الْحُدُودَ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَالْبَيْهَقِيُّ.

**1077.** Narrated 'Ali رضي الله عنه: "I would not blame myself concerning a man who dies when I inflict a prescribed punishment on him, with the exception of one who has drunk wine, for if he were to die I would pay blood money[3] for him." [Al-Bukhâri reported it].

(١٠٧٧) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: مَا كُنْتُ لِأُقِيمَ عَلَى أَحَدٍ حَدًّا فَيَمُوتَ، فَأَجِدَ فِي نَفْسِي، إِلَّا شَارِبَ الْخَمْرِ، فَإِنَّهُ لَوْ مَاتَ وَدَيْتُهُ. أَخْرَجَهُ الْبُخَارِيُّ.

---

[1] The behavioural and conventional practices in the Islâmic societies during the course of time have revealed that this *Hadîth* seems to be based on a matter of preference depending on the views of powers that be. Some people are of the opinion that no one may be subjected to a punishment of more than ten lashes except in case of a punishment thus prescribed for a certain crime. The rest of the people have left it to the sagacity of the appointed ruling judge of the court. He can punish the miscreant according to whatever he deems suitable.

[2] As far as the punishments concerning Divine interdictions are concerned, they will apply on everybody whether rich or poor, ordinary or influential, with no discrimination or distinction made to this end. In the matters of minor foibles and delinquencies, however, a concessional treatment may be meted out to the personage of rank and importance as they are usually backed by an entourage or a supporting group of people. An action taken against them may trigger off a rebellion. Even if such a possibility is excluded, an establishment of a good rapport with them might ensure the availability of qualified people who may dedicate themselves to the cause of Islâm. A pursuance of this policy of granting undue favours to a chosen few may also foment the sentiments of the general public and foster bad blood and a feeling of resentment among them.

[3] This *Hadîth* implied that there had also been a dissension among the Companions of the Prophet صلى الله عليه وسلم as to whether his striking of the wine drinker with forty lashes was in fact a *Hadd* i.e., prescribed punishment, or the same should be construed as *Ta'zir* i.e., discretionary punishment. The same was thought to be a discretionary punishment because no such punishment is mentioned in the Qur'ân. No attention or heed should be paid to the one who dies while a prescribed punishment is being carried out on him, but if some one dies while being punished discretionarily, the state treasury shall be liable to pay blood

**1078.** Narrated Sa'îd bin Zaid رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who is killed protecting his property is a martyr." [Reported by *Al-Arba'a* and At-Tirmidhi graded it *Sahih* (sound)].

(١٠٧٨) وَعَنْ سَعِيدِ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ شَهِيدٌ». رَوَاهُ الْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ.

**1079.** Narrated 'Abdullâh[1] bin Khabbâb[2] رضي الله عنه: I heard my father say, "I heard Allâh's Messenger صلى الله عليه وسلم say, 'There will be periods of *Fitan*[3] so O slave of Allâh, be in it the killed one, and do not be the killer.'"[4] [Ibn Abû Khaithama and Ad-Dâraqutni reported it]. Ahmad reported something similar of the aforesaid *Hadîth* from Khâlid bin 'Urfuta.[5]

(١٠٧٩) وَعَنْ عَبْدِ اللهِ بْنِ خَبَّابٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ أَبِي يَقُولُ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «تَكُونُ فِتَنٌ، فَكُنْ فِيهَا عَبْدَ اللهِ الْمَقْتُولَ، وَلَا تَكُنِ الْقَاتِلَ». أَخْرَجَهُ ابْنُ أَبِي خَيْثَمَةَ وَالدَّارَقُطْنِيُّ، وَأَخْرَجَ أَحْمَدُ نَحْوَهُ عَنْ خَالِدِ بْنِ عُرْفُطَةَ.

---

money to the successors of the deceased person. A wine-drinker, if dies out of flogging, the majority of the scholars are of the opinion that such a death shall incur blood money payment.

[1] He was among the famous *Tabi'in* and a resident of Al-Madîna. The Haruriya (Khawârij) killed him in the year 27 H. after they disobeyed 'Ali and were on their way to An-Naharwân. After killing him they entered his house, cut open the abdomen of his slave wife and killed his son. That led to the famous battle of An-Naharwân in which 'Ali killed all the Khawârij except nine who were instrumental in the occurrence of the big *Fitna* later on.

[2] Khabbâb bin Al-Arat bin Jandala At-Tamimi was one of those who were persecuted in Allâh's cause and one of those who took part in the battle of Badr. He died in Kufa while boycotting the battle of Siffin in 37 H. at the age of 73 years.

[3] Plural of *Fitna* meaning trials, afflictions, persecution and confusion in the religion. It also means conflicts and strifes among the Muslims.

[4] It has been stated in a previous *Hadith* that in case a person dies defending his life, wealth and family, he will be regarded as a martyr. If he kills the assailant in the process, he incurs no sin on such a killing. This ruling applies only if the reason of contention is clearly known. If there is an uncertainty about the reason of contention, whether it is fair or unfair, one should not raise his hand. The safer side is to refrain from killing as the dead person is destined to enter Paradise and the murder faces Hell-fire. If both of them fight each other, they both will be Hell-bound.

[5] He is a *Sahâbi* belonging to the Qudâ'a tribe and 'Udhr clan. He was the representative of Sa'd bin Abû Waqqâs in Kufa. He died in the year 61 H. and it was said that Al-Mukhtâr bin Abû 'Ubaid killed him after the death of Yazid i.e. after 64 H.

# 11. THE BOOK OF *JIHAD*[1]

# ١١ - كِتَابُ الْجِهَادِ

**1080.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who dies without having gone or thought of going out for *Jihâd*, will die guilty of a kind of hypocrisy."[2] [Reported by Muslim].

(١٠٨٠) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ مَاتَ، وَلَمْ يَغْزُ، وَلَمْ يُحَدِّثْ نَفْسَهُ بِهِ، مَاتَ عَلَى شُعْبَةٍ مِنْ نِفَاقٍ**». رَوَاهُ مُسْلِمٌ.

**1081.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Use your property, your selves and your tongues in striving against the polytheists."[3] [Ahmad and An-Nasâ'i reported it; Al-Hâkim graded it *Sahih* (sound)].

(١٠٨١) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**جَاهِدُوا الْمُشْرِكِينَ بِأَمْوَالِكُمْ، وَأَنْفُسِكُمْ، وَأَلْسِنَتِكُمْ**». رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**1082.** Narrated 'Aisha رضي الله عنها: I said, "O Allâh's Messenger. Is *Jihâd* prescribed to women?" He replied, "Yes, a *Jihâd* which is without fighting;[4] it is the *Hajj* and the *'Umrah*". [Reported by Ibn Mâjah and its origin is in *Sahih Al-Bukhâri*].

(١٠٨٢) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّهَا قَالَتْ: قُلْتُ: يَا رَسُولَ اللهِ! عَلَى النِّسَاءِ جِهَادٌ؟ قَالَ: «**نَعَمْ، جِهَادٌ لَا قِتَالَ فِيهِ، هُوَ الْحَجُّ وَالْعُمْرَةُ**». رَوَاهُ ابْنُ مَاجَهْ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

**1083.** Narrated 'Abdullâh bin 'Amr رضي الله عنهما: A man came to the Prophet صلى الله عليه وسلم asking his permission to

(١٠٨٣) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَ رَجُلٌ إِلَى

---

[1] *Jihâd* in *Shari'a* terminology is a word used for spending courage in a battle against disbelievers and mutineers.

[2] *Jihâd* is applicable all the time, sometimes it is with sword, sometimes by spending money and sometimes merely by one's verbal endeavours. A man exercising none of them is a hypocrite. One must physically participate in an armed *Jihâd* if he gets a chance to, and if not, he must at least nurse a sincere intention about it. A person who does not even harbour a least intention to take part in it, is a hypocrite.

[3] This *Hadîth* states that in accordance with the call of time, *Jihâd* is obligatory on every believer at all times as the Islâmic life is associated with it. If a person becomes insensitive about it and throws the same into oblivion altogether, no difference is left between his being a believer or a disbeliever.

[4] It thus becomes known to us that an armed *Jihâd* is not an obligation on the woman. By performing *Hajj* and *'Umrah*, a woman gets the same amount of reward which a man earns out of fighting in a battlefield.

take part in *Jihâd*. He asked him, "Are your parents still alive?" He replied, "Yes." He said, "Strive in their service."[1] [Agreed upon].

النَّبِيَّ ﷺ يَسْتَأْذِنُهُ فِي الْجِهَادِ، فَقَالَ: «أَحَيٌّ وَالِدَاكَ؟» فَقَالَ: نَعَمْ، قَالَ: «فَفِيهِمَا فَجَاهِدْ». مُتَّفَقٌ عَلَيْهِ.

Ahmad and Abû Dâ'ud have from Abû Sa'îd's *Hadîth* something similar to the aforesaid *Hadîth*, they added: "Go back and ask their permission. If they permit you then fight in Allâh's Path, or else be devoted to them."

وَلِأَحْمَدَ وَأَبِي دَاوُدَ مِنْ حَدِيثِ أَبِي سَعِيدٍ نَحْوُهُ، وَزَادَ: «ارْجِعْ، فَاسْتَأْذِنْهُمَا، فَإِنْ أَذِنَا لَكَ، وَإِلاَّ فَبِرَّهُمَا».

**1084.** Narrated Jarir[2] Al-Bajli رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "I am not responsible for any Muslim who stays among the polytheists."[3] [Reported by *Ath-Thalâtha*, its chain of narrators is *Sahih* (sound), but Al-Bukhâri preponderated that it is *Mursal*].

(١٠٨٤) وَعَنْ جَرِيرٍ الْبَجَلِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: أَنَا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ يُقِيمُ بَيْنَ الْمُشْرِكِينَ». رَوَاهُ الثَّلَاثَةُ، وَإِسْنَادُهُ صَحِيحٌ، وَرَجَّحَ الْبُخَارِيُّ إِرْسَالَهُ.

**1085.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "There is no emigration[4] after

(١٠٨٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ

[1] This *Hadîth* is an evidence that before proceeding to a battlefield, it is necessary to secure permission from one's parents provided they are Muslims and no one is available to take care of them. It is not allowed for someone to go to the battlefield if his parents forbid him to do so since serving them is also regarded as an individual duty.

[2] Abû 'Amr Jarir bin 'Abdullâh bin Jâbir Al-Bajli became a Muslim in 10 H., then the Prophet صلى الله عليه و سلم spread out a cloth for him to sit on and sent him to Dhil-Khalasa and he destroyed it. He also served in the Yemen during the lifetime of the Prophet صلى الله عليه و سلم. He said, "Since I became a Muslim, the Prophet صلى الله عليه و سلم smiled whenever he saw me." His shoes measured one foot. He took part in the conquest of Al-Madâin and he was commanding the right wing of the Muslim army during the battle of Al-Qâdisiya. He was known as the Yûsuf of this *Ummah* and died in the year 52 H. or 54 H..

[3] Since the number of Muslims in the early days of Islâm was extremely small and negligible and it was necessary to strengthen this stronghold Al-Madîna, Islâm was not viable without migration and therefore migration was an obligation. This *Hadîth* which is reported by Jarir belonged to the same era, but once the conquest of Makka was accomplished and the tribes started entering into Islâm everyday and the region of the Islâmic empire considerably got enlarged, the migration toward Al-Madîna was no longer an obligation. The *Hadîth* which is reported by Ibn 'Abbâs رضي الله عنهما is concerned with the same matter. Even to this day, if a person feels constrained and fettered for the sake of Islâm in a *Dar-ul-Kufr* (land of disbelievers), it is an obligation on him to migrate towards *Dar-ul-Islâm* (the land of Islâm)

[4] i.e. from Makka to Al-Madîna.

*Al-Fath*[1], but only *Jihâd* and good intentions." [Agreed upon].

هِجْرَةَ بَعْدَ الْفَتْحِ، وَلَكِنْ جِهَادٌ وَنِيَّةٌ». مُتَّفَقٌ عَلَيْهِ.

**1086.** Narrated Abû Mûsa Al-Ash'ari رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The one who fights so that Allâh's Word becomes superior is (striving) in Allâh's Path."[2] [Agreed upon].

(١٠٨٦) وَعَنْ أَبِي مُوسَى الْأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَاتَلَ لِتَكُونَ كَلِمَةُ اللهِ هِيَ الْعُلْيَا فَهُوَ فِي سَبِيلِ اللهِ» مُتَّفَقٌ عَلَيْهِ.

**1087.** Narrated 'Abdullâh bin As-Sa'dî[3]: Allâh's Messenger صلى الله عليه وسلم said, "Emigration[4] will not come to an end so long as an enemy is fought." [Reported by An-Nasâ'i; Ibn Hibbân graded it *Sahih* (sound)].

(١٠٨٧) وَعَنْ عَبْدِ اللهِ بْنِ السَّعْدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَنْقَطِعُ الْهِجْرَةُ مَا قُوتِلَ الْعَدُوُّ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1088.** Narrated Nâfi': Allâh's Messenger صلى الله عليه وسلم made an attack on Banu Al-Mustaliq when they were unaware[5]. He killed the fighting men and took the women and children as captives.[6] 'Abdullâh bin 'Umar told me about that. [Agreed upon].

(١٠٨٨) وَعَنْ نَافِعٍ قَالَ: أَغَارَ رَسُولُ اللهِ ﷺ عَلَى بَنِي الْمُصْطَلِقِ، وَهُمْ غَارُّونَ، فَقَتَلَ مُقَاتِلَتَهُمْ، وَسَبَى ذَرَارِيَهُمْ. حَدَّثَنِي بِذَلِكَ عَبْدُ اللهِ بْنُ عُمَرَ. مُتَّفَقٌ عَلَيْهِ.

---

[1] i.e. the conquest of Makka.

[2] It means that a battle fought for the sake of valour, integrity, retaliation, pillage, hypocrisy and an insatiable lust for land-grabbing, etc., are not the Islâmic wars even though they may be fought by the Muslim warriors. Islâmic war is the one which is fought mainly for the purpose and intention of propagating Islâm in the earnest. During the course of events, if such a war also yields some secondary benefits, there is no harm in it and the warriors are allowed to be profited by them.

[3] He was a *Sahâbi* from the 'Aamir clan of Quraish. Al-Wâqidi said, "He died in the year 57 H." and As-Sa'di's name is 'Amr or Qadâma or 'Abdullâh bin Waqdân.

[4] i.e. from enemy-held territories to the Muslim dominated lands.

[5] Because Allâh's Messenger صلى الله عليه و سلم was informed that they were preparing to fight him, so he invaded them, killed ten men and took the rest as captives. When the Prophet صلى الله عليه و سلم freed and married Juwairiya رضي الله عنها the *Sahâba* released all the hundred captives of her people and they all became Muslims.

[6] This explains that in case the message of invitation to Islâm has already been conveyed to some people who in turn have rejected and denounced it, then it is not obligatory to send them a formal invitation to war prior to waging a war against them. It also explains that attacking an enemy by making an ambush on their territory is permissible and that the Arabs may also be enslaved.

**1089.** Narrated Sulaimân bin Buraida on his father's authority (from 'Aisha رضي الله عنها): Whenever Allâh's Messenger صلى الله عليه وسلم appointed a commander over an army or a *Sariya*,[1] he instructed him to fear Allâh himself and consider the welfare of the Muslims who were with him. He then used to say, "Go out for *Jihâd* in Allâh's Name in Allâh's Path and fight with those who disbelieve in Allâh. Go out for *Jihâd* and do not indulge in *Ghulul*,[2], or be treacherous, or mutilate[3] anyone, or kill a child. When you meet your enemy — the polytheists, summon them to three things, and accept whichever of them they are willing to agree to, and leave them alone: Call them to Islam, and if they agree accept it from them, and summon them to leave their abodes and transfer to the abode of *Al-Muhajirin* (the Emigrants).[4] But if they refuse, then tell them they will be like the desert Arab Muslims, thus they will have no *Ghanima*[5] or *Fai*'[6] unless they participate in the *Jihâd* with the

(١٠٨٩) وَعَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللهِ ﷺ إِذَا أَمَّرَ أَمِيراً عَلَىٰ جَيْشٍ، أَوْ سَرِيَّةٍ، أَوْصَاهُ فِي خَاصَّتِهِ بِتَقْوَى اللهِ، وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْراً، ثُمَّ قَالَ: «اُغْزُوا بِسْمِ اللهِ فِي سَبِيلِ اللهِ، قَاتِلُوا مَنْ كَفَرَ بِاللهِ، اُغْزُوا، وَلاَ تَغُلُّوا، وَلاَ تَغْدِرُوا، وَلاَ تُمَثِّلُوا، وَلاَ تَقْتُلُوا وَلِيداً، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ، فَادْعُهُمْ إِلَى ثَلاَثِ خِصَالٍ، فَأَيَّتُهُنَّ أَجَابُوكَ إِلَيْهَا فَاقْبَلْ مِنْهُمْ، وَكُفَّ عَنْهُمْ: اُدْعُهُمْ إِلَى الإِسْلاَمِ، فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، فَإِنْ أَبَوْا فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ، وَلاَ يَكُونُ لَهُمْ فِي الْغَنِيمَةِ وَالْفَيْءِ شَيْءٌ إِلاَّ أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ هُمْ أَبَوْا، فَاسْأَلْهُمُ الْجِزْيَةَ، فَإِنْ هُمْ أَجَابُوكَ، فَاقْبَلْ مِنْهُمْ، فَإِنْ هُمْ أَبَوْا فَاسْتَعِنْ بِاللهِ تَعَالَى وَقَاتِلْهُمْ، وَإِذَا حَاصَرْتَ أَهْلَ حِصْنٍ،

[1] *Sariya* is a term used for an army unit which moves about at night stealthily.

[2] *Ghulûl* means stealing the war booty before its distribution.

[3] *Muthla* implies cutting off one's nose, ear or other bodily organs.

[4] This further explains that *Hijra* (migration) is valid forever, because by permanently residing in a land of disbelievers, it becomes difficult for one to acquire instructions of the Islâmic law.

[5] *Ghanima* is the Arabic word applied to spoils of war one acquires after fighting the disbelievers and defeating them. One-fifth of the goods thus acquired is taken out, and the rest of it is distributed amongst the army. A soldier of an infantry regiment gets one share while a cavalryman acquires three.

[6] *Fai'* is a term used for the war-booty which is acquired from disbelievers without fighting them. Its one-fifth portion is not separated and the same is to be spend on the needs of the orphans, the poor, the wayfarers, the poor emigrants, and in the cause of Allah according to the outlook of the caliph.

Muslims. If they refuse Islam, demand the *Jizya*[1] from them, and if they agree accept it from them. If they refuse seek Allâh the Most High's help against them and fight with them. When you besiege a fortress, and its people wish you to grant them the protection of Allâh and His Prophet, grant them neither but grant them your protection, for it is less serious to break your guarantee of protection than to break that of Allâh. And if they offer to capitulate and have the matter referred to Allâh's Judgement, do not grant this, but let them have the matter referred to your judgement, for you do not know whether or not you will concur with Allâh the Most High's Judgement regarding them." [Muslim reported it].

فَأَرَادُوكَ أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللهِ وَذِمَّةَ نَبِيِّهِ فَلَا تَفْعَلْ، وَلَكِنِ اجْعَلْ لَهُمْ ذِمَّتَكَ، فَإِنَّكُمْ أَنْ تَخْفِرُوا ذِمَمَكُمْ أَهْوَنُ مِنْ أَنْ تَخْفِرُوا ذِمَّةَ اللهِ، وَإِذَا أَرَادُوكَ أَنْ تُنْزِلَهُمْ عَلَى حُكْمِ اللهِ فَلَا تَفْعَلْ، بَلْ عَلَى حُكْمِكَ، فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ فِيهِمْ حُكْمَ اللهِ أَمْ لَا». أَخْرَجَهُ مُسْلِمٌ.

**1090.** Narrated Ka'b bin Mâlik رضى الله عنه: "Whenever the Prophet صلى الله عليه وسلم intended to go on an expedition, he always pretended to be going somewhere else." [Agreed upon].

(١٠٩٠) وَعَنْ كَعْبِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ إِذَا أَرَادَ غَزْوَةً وَرَّى بِغَيْرِهَا. مُتَّفَقٌ عَلَيْهِ.

**1091.** Narrated Ma'qil bin An-Nu'mân bin Muqarrin[2] رضى الله عنه: "I have witnessed (battles with) Allâh's Messenger صلى الله عليه وسلم and when he did not fight at the beginning of the day, he deferred fighting till the sun had passed the meridian, the wind blew and help came down."[3]

(١٠٩١) وَعَنْ مَعْقِلٍ، أَنَّ النُّعْمَانَ بْنَ مُقَرِّنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ رَسُولَ اللهِ ﷺ، إِذَا لَمْ يُقَاتِلْ أَوَّلَ النَّهَارِ أَخَّرَ الْقِتَالَ حَتَّى تَزُولَ الشَّمْسُ، وَتَهُبَّ الرِّيَاحُ

[1] *Jizya* is a monetary payment as a head-tax which a Muslim government receives from its non-Muslim subjects.

[2] He was a *Sahâbi* from the tribe of Muzaina and was one of the Muslim army commanders during Abû Bakr's Caliphate and 'Umar Al-Farooq رضى الله عنهما. He had migrated with seven of his brothers. He conquered Asbahân and was killed in the battle of Nahawand in the year 21 H.

[3] The better time to attack is the morning time whereas the better time to fight the battle is the noontime as the blessing and mercy of Allâh descend on the believers during the prayer times. An invocation made for victory during these timings is soon accepted.

وَيَنْزِلَ النَّصْرُ. رَوَاهُ أَحْمَدُ وَالثَّلَاثَةُ، وَصَحَّحَهُ الْحَاكِمُ، وَأَصْلُهُ فِي الْبُخَارِيِّ.

[Reported by Ahmad and *Ath-Thalatha*. Al-Hâkim graded it *Sahih* (sound) and its source occurs in Al-Bukhâri's *Sahih*].

(١٠٩٢) وَعَنِ الصَّعْبِ بْنِ جَثَّامَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سُئِلَ رَسُولُ اللهِ ﷺ عَنِ الذَّرَارِيِّ مِنَ الْمُشْرِكِينَ، يُبَيَّتُونَ، فَيُصِيبُونَ مِن نِّسَآئِهِمْ وَذَرَارِيِّهِمْ، فَقَالَ: «هُمْ مِنْهُمْ». مُتَّفَقٌ عَلَيْهِ.

**1092.** Narrated As-Sa'b bin Jaththâma رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم was asked about the polytheists whose settlements were attacked at night when some of their women and offsprings were smitten." He replied, "They are from them.[1]" [Agreed upon].

(١٠٩٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ تَبِعَهُ فِي يَوْمِ بَدْرٍ: «ارْجِعْ، فَلَنْ أَسْتَعِينَ بِمُشْرِكٍ». رَوَاهُ مُسْلِمٌ.

**1093.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم said to a man who followed him on the Day of Badr, "Go back I will not ask help from a *Mushrik* (polytheist)."[2] [Reported by Muslim].

(١٠٩٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ رَأَى امْرَأَةً مَقْتُولَةً فِي بَعْضِ مَغَازِيهِ، فَأَنْكَرَ قَتْلَ النِّسَاءِ وَالصِّبْيَانِ. مُتَّفَقٌ عَلَيْهِ.

**1094.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم saw a killed woman in some of his expeditions and he disapproved the killing of women and children.[3] [Agreed upon].

(١٠٩٥) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اقْتُلُوا شُيُوخَ الْمُشْرِكِينَ، وَاسْتَبْقُوا شَرْخَهُمْ». رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ التِّرْمِذِيُّ.

**1095.** Narrated Samura رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Kill the old men[4] who are polytheists but spare their children." [Reported by Abû Dâ'ud; At-Tirmidhi graded it *Sahih* (sound)].

[1] The women and children of the polytheists should not be killed. However, if women and children are not discernible during a pitch-black night and thus get killed in an ambush, there is no blame on it.

[2] At first, it was forbidden to obtain any assistance from a polytheist during a war. This restriction was lifted at a later stage. There is a *Hadith* to this effect that you will strike a peace accord with the Romans and you will unitedly (Muslims and the Romans) encounter the enemy.

[3] It is absolutely forbidden to deliberately murder children. It is permissible to kill a woman only in case she attacks a Muslim, otherwise the same is forbidden. The old among the disbelievers who assist the enemy in any way even if by offering them a piece of advice, are permitted to be killed. The rest of the elderly people are exempted from this ruling.

[4] i.e. those who are capable to fight.

**1096.** Narrated 'Ali رضى الله عنه: At the battle of Badr, they (the Muslims and the polytheists) engaged in duel combats.[1] [Reported by Al-Bukhâri; Abû Dâ'ud reported it in a long *Hadîth*].

(١٠٩٦) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُمْ تَبَارَزُوا يَوْمَ بَدْرٍ. رَوَاهُ الْبُخَارِيُّ، وَأَخْرَجَهُ أَبُو دَاوُدَ مُطَوَّلاً.

**1097.** Narrated Abû Ayûb رضى الله عنه: This verse was sent down concerning us — *Al-Ansâr*, he meant Allâh the Most High saying: "And do not throw yourselves into destruction".[2] Abû Ayûb said that in response to those who disapprove the action of him who attacked the Romans till he was amidst them.[3] [Reported by *Ath-Thalatha*; At-Tirmidhi, Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(١٠٩٧) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: إِنَّمَا نَزَلَتْ هٰذِهِ الآيَةُ فِينَا مَعْشَرَ الأَنْصَارِ، يَعْنِي قَوْلَهُ تَعَالَى ﴿وَلاَ تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ﴾ قَالَهُ رَدًّا عَلَىٰ مَنْ أَنْكَرَ عَلَىٰ مَنْ حَمَلَ عَلَىٰ صَفِّ الرُّومِ حَتَّى دَخَلَ فِيهِمْ. رَوَاهُ الثَّلاَثَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**1098.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم burnt the palm trees[4] of Banu An-Nadir and cut them down. [Agreed upon].

(١٠٩٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: حَرَّقَ رَسُولُ اللهِ ﷺ نَخْلَ بَنِي النَّضِيرِ، وَقَطَّعَ. مُتَّفَقٌ عَلَيْهِ.

**1099.** Narrated 'Ubâda bin As-Sâmit رضى الله عنه: "Allâh's Messenger صلى الله عليه وسلم said, "Do not be dishonest about the booty, for it will be fire and reproach to those who are guilty of it

(١٠٩٩) وَعَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَغُلُّوا، فَإِنَّ الْغُلُولَ نَارٌ وَعَارٌ عَلَى

[1] The word in Arabic *Mubaraza* means sending an invitation to an opponent to fight and giving him an account of one's heroic deeds and acts of valour in a loud voice. Even though such an act is regarded as a vain glorious display of one's power and a boastful show of pomp and self-conceit which is never permitted under normal circumstances, but the same is permissible during a war for the sole purpose of intimidating an enemy.

[2] *Sûrat Al-Baqarah*, Verse 195.

[3] This *Hadîth* clarifies that while making an attack, one should also take into account the ratio of the head count. If the disbelievers army numbers twice as much, Muslims are obligated to fight them, but if their ratio gets even far greater than that, it is no more an obligation on Muslims to fight them. It further elaborates that making oneself deliberately vulnerable to imminent and fatal dangers where the death is most likely to occur is also a kind of suicidal act.

[4] This *Hadîth* explains that anything which turns out to be a stumbling block in a war or anything providing strength to an enemy's fortification is permitted to be destroyed.

in this world and in the Hereafter." [Ahmad and An-Nasâ'i reported it, and Ibn Hibbân graded it *Sahih* (sound)].

أَصْحَابِهِ فِي الدُّنْيَا وَالآخِرَةِ». رَوَاهُ أَحْمَدُ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1100.** Narrated 'Auf bin Mâlik رضي الله عنه: "The Prophet صلى الله عليه وسلم gave judgement that the killer should have what was taken from the man he killed[1] (in *Jihâd*)." [Reported by Abû Dâ'ud and its source occurs in Muslim's *Sahih*].

(١١٠٠) وَعَنْ عَوْفِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَضَى بِالسَّلَبِ لِلْقَاتِلِ. رَوَاهُ أَبُو دَاوُدَ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ.

**1101.** Narrated 'Abdur-Rahmân bin 'Auf رضي الله عنه: regarding the story of the killing of Abû Jahl: They then hastened to him with their swords till they killed him, after which they went to Allâh's Messenger صلى الله عليه وسلم and informed him. He asked, "Which of you killed him? Did you wipe your swords?" They replied, "No." He looked at the swords and said, "Both of you killed him." He then ruled that what was taken from him should go to Mu'âdh bin 'Amr bin Al-Jamûh.[2] [Agreed upon].

(١١٠١) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ قَتْلِ أَبِي جَهْلٍ - قَالَ: فَابْتَدَرَاهُ بِسَيْفَيْهِمَا، حَتَّى قَتَلَاهُ، ثُمَّ انْصَرَفَا إِلَى رَسُولِ اللَّهِ ﷺ، فَأَخْبَرَاهُ، فَقَالَ: «أَيُّكُمَا قَتَلَهُ؟ هَلْ مَسَحْتُمَا سَيْفَيْكُمَا؟» قَالَا: لَا، قَالَ: فَنَظَرَ فِيهِمَا، فَقَالَ: «كِلَاكُمَا قَتَلَهُ» فَقَضَى ﷺ بِسَلَبِهِ لِمُعَاذِ بْنِ عَمْرِو بْنِ الْجَمُوحِ. مُتَّفَقٌ عَلَيْهِ.

**1102.** Narrated Makhul[3]: "The Prophet صلى الله عليه وسلم set up the ballista[4] while attacking the people

(١١٠٢) وَعَنْ مَكْحُولٍ، أَنَّ النَّبِيَّ ﷺ نَصَبَ الْمَنْجَنِيقَ عَلَى أَهْلِ الطَّائِفِ. أَخْرَجَهُ

---

[1] The Arabic word *Salb* stands for the articles which are attached to the body of the killed person, like vestments and armours, etc. The majority of the scholars are of the view that the killer is the owner of the said articles.

[2] He was an *Ansâri* and a Khazraji of Sulami clan. He attended *Al-'Aqaba* and Badr. He is the one who cut off Abû Jahl's leg and put him down, then 'Ikrima bin Abû Jahl cut off Mu'âdh's hand yet he fought the battle till it was over. He died during 'Uthmân's Caliphate.

[3] Makhul Ad-Dimashqi was the *Fiqh* scholar of Shâm and one of the eminent people. Abû Hâtim said, "I do not know of someone who is more learned in *Fiqh* than him." He died in the year 113 H.

[4] *Manjaniq* (ballista) is a contrivance (i.e., a catapult) which hurls heavy stones at the enemy's fortifications. The purpose of mentioning this *Hadith* here is that since the women, children and the elderly are all killed alike and indiscriminately out of firing, whether or not it is permissible even at the cost of the women's and children's lives; especially in a condition

of Tâ'if." [Abû Dâ'ud reported it in the *Marasil*. Its narrators are reliable; Al-'Uqaili graded it *Mausûl*, but through a weak *Isnâd* from 'Ali رضي الله عنه].

أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرِجَالُهُ ثِقَاتٌ، وَوَصَلَهُ الْعُقَيْلِيُّ بِإِسْنَادٍ ضَعِيفٍ، عَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

**1103.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم entered Makka with a helmet on his head, and when he took it off, a man came to him and said, "Ibn Khatal is hanging on to the curtain of the Ka'ba." He replied, "Kill him."[1] [Agreed upon].

(١١٠٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ دَخَلَ مَكَّةَ، وَعَلَى رَأْسِهِ الْمِغْفَرُ، فَلَمَّا نَزَعَهُ جَاءَهُ رَجُلٌ، فَقَالَ: ابْنُ خَطَلٍ مُتَعَلِّقٌ بِأَسْتَارِ الْكَعْبَةِ، فَقَالَ: «اقْتُلُوهُ» مُتَّفَقٌ عَلَيْهِ.

**1104.** Narrated Sa'îd bin Jubair[2] رضي الله عنه: "On the Day of Badr, Allâh's Messenger صلى الله عليه وسلم killed three people while they were in bonds."[3] [Abû Dâ'ud reported it in *Marasîl*, its narrators are reliable].

(١١٠٤) وَعَنْ سَعِيدِ بْنِ جُبَيْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَتَلَ يَوْمَ بَدْرٍ ثَلَاثَةً صَبْرًا. أَخْرَجَهُ أَبُو دَاوُدَ فِي الْمَرَاسِيلِ، وَرِجَالُهُ ثِقَاتٌ.

**1105.** Narrated 'Imrân bin Husain رضي الله عنهما: "Allâh's Messenger صلى الله عليه وسلم exchanged two Muslim men[4] from

(١١٠٥) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَسُولَ اللَّهِ ﷺ فَدَى

---

where the enemy cloisters itself within a certain fortification and no option is left except resorting to firing to facilitate the conquest.

[1] The original name of Ibn Khatal was Abdullah. This wicked person first accepted Islâm. The Prophet صلى الله عليه وسلم deputed him along with an *Ansâri* on a mission to collect *Zakât* whereupon this person converted to apostasy and murdered his *Ansâri* companion. He made free with the *Zakât* money and fled away to Makka. After the conquest of Makka by the Muslims, this person took refuge within the premises of Ka'ba. The Prophet صلى الله عليه وسلم instructed his Companions to execute him forthwith. This explains that a rebellious renegade and a murderer is not eligible for asylum even within the cônfines of Ka'ba.

[2] He was Al-Wâlibi by clientship and a resident of Kufa. He was a *Faqih*, eminent *Imâm* and an authority in the *Tafsîr* and *Hadîth*. He was the last man to be killed by Hajjâj bin Yusuf. Maimûn bin Mahrân said, "Sa'îd bin Jubair died when everybody in the world (by then) was in need of his knowledge." He was killed in 95 H. while an old man.

[3] These three persons were Tua'ma bin 'Adi, Nadr bin Hârith and 'Uqaba bin 'Abi Mu'ait. This explains that killing a person out of thirst and hunger (i.e., starving him to death) is permissible.

[4] This *Hadîth* states that an exchange of prisoners is permissible. The people of Banu Thaqif arrested the two Companions of the Prophet صلى الله عليه وسلم. As the Banu 'Aqil were their (Banu Thaqif's) allies, the Companions of the Prophet صلى الله عليه وسلم captured a man from Banu 'Aqil. When the polytheists released the Companions of the Prophet صلى الله عليه وسلم, he reciprocally released that polytheist.

captivity with a *Mushrik* man." [At-Tirmidhi reported it, he graded it *Sahih* (sound). Its origin is in *Sahih* Muslim].

رَجُلَيْنِ مِنَ الْمُسْلِمِينَ بِرَجُلٍ مِنَ الْمُشْرِكِينَ. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَصْلُهُ عِنْدَ مُسْلِمٍ.

**1106.** Narrated Sakhr bin Al-'Aila[1] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If the people (polytheists) accept Islâm they will protect their bloods and their properties."[2] [Abû Dâ'ud reported it, its narrators are reliable].

(١١٠٦) وَعَنْ صَخْرِ بْنِ الْعَيْلَةِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «**إِنَّ الْقَوْمَ إِذَا أَسْلَمُوا أَحْرَزُوا دِمَاءَهُمْ وَأَمْوَالَهُمْ**». أَخْرَجَهُ أَبُو دَاوُدَ، وَرِجَالُهُ مُوَثَّقُونَ.

**1107.** Narrated Jubair bin Mut'im رضي الله عنه: The Prophet صلى الله عليه وسلم said regarding the prisoners taken at Badr, "If Al-Mut'im bin 'Adi[3] had been alive and spoken to me about these filthy ones, I would have freed them for him." [Reported by Al-Bukhâri].

(١١٠٧) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي أُسَارَى بَدْرٍ: «**لَوْ كَانَ الْمُطْعِمُ بْنُ عَدِيٍّ حَيًّا، ثُمَّ كَلَّمَنِي فِي هَؤُلَاءِ النَّتْنَى، لَتَرَكْتُهُمْ لَهُ**». رَوَاهُ الْبُخَارِيُّ.

**1108.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: On the Day of (the battle of) Autâs, we took (women) captives who had husbands. They (the *Sahâba*) seemed to hold back from having intercourse with them.[4] Then Allâh the Most High sent down regarding that: "And women already married,

(١١٠٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَصَبْنَا سَبَايَا يَوْمَ أَوْطَاسٍ لَهُنَّ أَزْوَاجٌ، فَتَحَرَّجُوا، فَأَنْزَلَ اللَّهُ تَعَالَى ﴿**وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ**﴾ الْآيَةَ، أَخْرَجَهُ مُسْلِمٌ.

[1] Sakhr bin Al-'Aila Al-Ahmasi Abû Hâzim was a *Sahâbi* who narrated this *Hadîth*.

[2] Whenever a *Harbi* (a person from the land of disbelievers) reverts to Islâm on his own accord and out of his free will, all his wealth and property, whether movable or immovable, remains in his possession regardless whether such a person embraces Islâm in the land of disbelievers or in the land of Islâm.

[3] When the Prophet صلى الله عليه وسلم returned from Tâ'if after being wounded there, Muti'm bin 'Adi sheltered him in his house and kept serving and taking good care of him. The Prophet صلى الله عليه وسلم here remembers his favourable acts.

[4] The women who are captured in a war, their previous wedlocks are automatically rendered null and void, the moment they are captured. If such a woman is in pregnancy, it is permissible to have a sexual intercourse with her only after the delivery. In case not pregnant, copulation is permissible after her clearance from one menstrual period. This is irrespective of the fact whether they embrace Islâm or not. Another restriction which applied to such a situation is that it is permissible to copulate with a female-slave strictly on the condition that she must fall to one's lot by a lawful distribution through a proper channel of authority and not by a random choice.

except those whom your right hands possess"[1] [Muslim reported it].

**1109.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم sent a detachment to Najd and I was with them. They got many camels as spoil and each one's share was twelve camels, and they were given an additional camel[2] each. [Agreed upon].

(١١٠٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: بَعَثَ رَسُولُ اللهِ ﷺ سَرِيَّةً، وَأَنَا فِيهِمْ، قِبَلَ نَجْدٍ، فَغَنِمُوا إِبِلاً كَثِيرَةً، فَكَانَتْ سُهْمَانُهُمُ اثْنَي عَشَرَ بَعِيراً، وَنُفِّلُوا بَعِيراً بَعِيراً. مُتَّفَقٌ عَلَيْهِ.

**1110.** Narrated (Ibn 'Umar) رضي الله عنهما: "On the Day of Khaibar, Allâh's Messenger صلى الله عليه وسلم allotted two shares for a horseman and one for a footman." [Agreed upon; the version being Al-Bukhâri's]

(١١١٠) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَسَمَ رَسُولُ اللهِ ﷺ يَوْمَ خَيْبَرَ لِلْفَرَسِ سَهْمَيْنِ، وَلِلرَّاجِلِ سَهْماً. مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

Abû Dâ'ud has: "He allotted three shares for a man and his horse, two for his horse and one for him."

وَلأَبِي دَاوُدَ: أَسْهَمَ لِرَجُلٍ وَلِفَرَسِهِ ثَلاثَةَ أَسْهُمٍ، سَهْمَيْنِ لِفَرَسِهِ، وَسَهْماً لَهُ.

**1111.** Narrated Ma'n bin Yazid رضي الله عنهما[3]: I heard Allâh's Messenger صلى الله عليه وسلم say, "Additional booties are to be distributed only after the *Khumus*[4] has been kept aside." [Reported by Ahmad and Abû Dâ'ud; At-Tahawi graded it *Sahih* (sound)].

(١١١١) وَعَنْ مَعْنِ بْنِ يَزِيدَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: **«لاَ نَفَلَ إِلاَّ بَعْدَ الْخُمُسِ»**. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الطَّحَاوِيُّ.

---

[1] *Sûrat Al-Mâ'idah*, Verse 24. Meaning they were allowed to cohabit with them after they were purified from one menstrual period.

[2] An infantry soldier is eligible for one share of the war booty, whereas a cavalry soldier is entitled to three shares. The commander has a right to award the eligible members of the army (on the basis of their capabilities), an additional amount of goods other than their prescribed share, out of the captured goods. This matter is collectively agreed.

[3] Ma'n bin Yazid bin Al-Akhnas As-Sulami was a *Sahâbi* and son of a *Sahâbi*. He witnessed the conquest of Damascus and used to reside in Kufa. He also entered Egypt and lived in Damascus. He witnessed the battle of Marj Râhit with Ad-Dahhâk bin Qais in 64 H. and got killed in it. It was said that he used to be with Mu'âwiya during his battles.

[4] A *Khumus* was one-fifth of the booties which Allâh allocated to His Messenger صلى الله عليه وسلم for his families' upkeep, the assistance of his relatives and the needy Muslims and spending in the cause of Allâh.

**1112.** Narrated Habib bin Maslama[1] رضي الله عنه: I witnessed Allâh's Messenger صلى الله عليه وسلم give a quarter of the additional spoil (to a detachment) on the outward expedition and a third on the return journey[2]. [Reported by Abû Dâ'ud, Ibn Al-Jârud, Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)]

(١١١٢) وَعَنْ حَبِيبِ بْنِ مَسْلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ رَسُولَ اللهِ ﷺ، نَفَّلَ الرُّبُعَ فِي الْبَدْأَةِ، وَالثُّلُثَ فِي الرَّجْعَةِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَابْنُ حِبَّانَ وَالْحَاكِمُ.

**1113.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم used to give to some of the detachments he sent out, additional booties[3] apart from the division made to the whole army. [Agreed upon].

(١١١٣) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يُنَفِّلُ بَعْضَ مَنْ يَبْعَثُ مِنَ السَّرَايَا لِأَنْفُسِهِمْ خَاصَّةً، سِوَى قِسْمِ عَامَّةِ الْجَيْشِ. مُتَّفَقٌ عَلَيْهِ.

**1114.** Narrated (Ibn 'Umar) رضي الله عنهما: We used to get honey and grapes and eat these while on our military expeditions without bringing these to the Prophet[4] صلى الله عليه وسلم. [Reported by Al-Bukhâri. Abû Dâ'ud has: "A *Khumus* was not taken from them." Ibn Hibbân graded it *Sahih* (sound)].

(١١١٤) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنَّا نُصِيبُ فِي مَغَازِينَا الْعَسَلَ وَالْعِنَبَ فَنَأْكُلُهُ، وَلَا نَرْفَعُهُ. رَوَاهُ الْبُخَارِيُّ، وَلِأَبِي دَاوُدَ «فَلَمْ يُؤْخَذْ مِنْهُمُ الْخُمُسُ»، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1115.** Narrated 'Abdullâh bin Abû Aufa رضي الله عنهما: "On the Day of Khaibar we captured food and a man would come and take as much of it as he needed and then go away." [Abû Dâ'ud reported it, Ibn Al-Jârûd and Al-Hâkim graded it *Sahih* (sound)].

(١١١٥) وَعَنْ عَبْدِاللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَصَبْنَا طَعَاماً يَوْمَ خَيْبَرَ، فَكَانَ الرَّجُلُ يَجِيءُ، فَيَأْخُذُ مِنْهُ مِقْدَارَ مَا يَكْفِيهِ، ثُمَّ يَنْصَرِفُ. أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ الْجَارُودِ وَالْحَاكِمُ.

[1] Abû 'Abdur-Rahmân Al-Fihri Al-Makki was a *Sahâbi* known as Habib of the Romans due to his many battle campaigns against them. He died in Armenia in the year 41 H. or 42 H. while being its governor.

[2] The greater amount granted them was due to the more difficulties and dangers involved in returning to fighting the enemy again.

[3] This *Hadith* states that the Prophet صلى الله عليه وسلم also used to dole out gifts to some people as a reward for them.

[4] The one-fifth portion is not taken out from the foodstuff as the comestibles are meant to be consumed up by eating and not to be stored. Every soldier may partake of it even prior to the formal distribution of goods. No restriction applies to it.

**1116.** Narrated Ruwaifi' bin Thâbit رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who believes in Allâh and the Last Day must not ride a riding animal belonging to the booty of the Muslims and return it when he has emaciated it;[1] or wear a garment belonging to the booty of the Muslims and return it when he has made it threadbare." [Abû Dâ'ud and Ad-Dârimi reported it, its narrators are somehow reliable].

(١١١٦) وَعَنْ رُوَيْفِعِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كَانَ يُؤْمِنُ بِاللهِ وَالْيَوْمِ الآخِرِ فَلاَ يَرْكَبْ دَابَّةً مِنْ فَيْءِ الْمُسْلِمِينَ، حَتَّى إِذَا أَعْجَفَهَا رَدَّهَا فِيهِ، وَلاَ يَلْبَسْ ثَوْباً مِنْ فَيْءِ الْمُسْلِمِينَ، حَتَّى إِذَا أَخْلَقَهُ رَدَّهُ فِيهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالدَّارِمِيُّ. وَرِجَالُهُ لاَ بَأْسَ بِهِمْ.

**1117.** Narrated Abû 'Ubaida bin Al-Jarrâh رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم say, "Muslims[2] give protection on one another's behalf." [Ahmad and Ibn Abû Shaiba reported it, but there is weakness in its chain of narrators].

(١١١٧) وَعَنْ أَبِي عُبَيْدَةَ بْنِ الْجَرَّاحِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «يُجِيرُ عَلَى الْمُسْلِمِينَ بَعْضُهُمْ». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَأَحْمَدُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

Tayâlisi has from 'Amr bin Al-'Aas: "The lowliest of Muslims gives protection on their behalf."

وَلِلطَّيَالِسِيِّ مِنْ حَدِيثِ عَمْرِو بْنِ الْعَاصِ قَالَ: يُجِيرُ عَلَى الْمُسْلِمِينَ أَدْنَاهُمْ.

In the two *Sahih* books, it is on the authority of 'Ali رضي الله عنه: "The protection given by one Muslim is on behalf of the rest and the lowliest of them can grant it." Ibn Mâjah added from another authority: "The most distant of them gives protection on their behalf."

وَفِي الصَّحِيحَيْنِ عَنْ عَلِيٍّ قَالَ: ذِمَّةُ الْمُسْلِمِينَ وَاحِدَةٌ، يَسْعَى بِهَا أَدْنَاهُمْ. زَادَ ابْنُ مَاجَهْ وَمِنْ وَجْهٍ آخَرَ «وَيُجِيرُ عَلَيْهِمْ أَقْصَاهُمْ».

[1] The vestments and horses thus captured may be used in a battlefield if required. It is prohibited to utilise them later on. Some scholars are of the opinion that such things must not be utilised even momentarily, except on the condition of securing a formal permission from the concerned commander-in-chief.

[2] This *Hadîth* implies that as a prudent policy measure (befitting the prevalent circumstances) the disbelievers may be granted an asylum not only by an *Imâm* alone, but anyone among the Muslims, whether a woman or a man, young or old, rich or poor, an ordinary soldier or a commander, has a right to grant asylum. In case a Muslim grants such an asylum to a disbeliever, it becomes an obligation on all the Muslims to honour it. Even a reigning *Imâm* may not breach an asylum thus granted.

In the two *Sahih* books, Al-Bukhâri and Muslim, it is reported from Umm Hani's[1] *Hadîth*: "We have given protection to those whom you have granted it."

وَفِي الصَّحِيحَيْنِ مِنْ حَدِيثِ أُمِّ هَانِيءٍ «قَدْ أَجَرْنَا مَنْ أَجَرْتِ».

**1118.** Narrated 'Umar رضي الله عنه: He heard Allah's Messenger صلى الله عليه وسلم say, "I will certainly expel the Jews and the Christians from the Arabian Peninsula[2] so as to leave only Muslims in it." [Reported by Muslim].

(١١١٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: «لأُخْرِجَنَّ الْيَهُودَ وَالنَّصَارَى مِنْ جَزِيرَةِ الْعَرَبِ، حَتَّى لاَ أَدَعَ إِلاَّ مُسْلِماً». رَوَاهُ مُسْلِمٌ.

**1119.** Narrated ('Umar) رضي الله عنه: "The wealth of Banu An-Nadir was part of what Allâh bestowed on His Messenger صلى الله عليه وسلم of which the Muslims had not ridden on horses or camels to get; so they belonged specially to the Prophet صلى الله عليه وسلم who would give his family their sustenance for a year, then applied what remained[3] for horses and

(١١١٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ اللَّهُ عَلَىٰ رَسُولِهِ، مِمَّا لَمْ يُوجِفْ عَلَيْهِ الْمُسْلِمُونَ بِخَيْلٍ وَلاَ رِكَابٍ، فَكَانَتْ لِلنَّبِيِّ ﷺ خَاصَّةً، فَكَانَ يُنْفِقُ عَلَىٰ أَهْلِهِ نَفَقَةَ سَنَةٍ، وَمَا بَقِيَ يَجْعَلُهُ فِي الْكُرَاعِ وَالسِّلاَحِ، عُدَّةً فِي سَبِيلِ

[1] She was the daughter of Abû Tâlib Al-Hashimiya and sister of 'Ali bin Abû Tâlib رضي الله عنه. Her name was Fakhita or Hind and she became a Muslim at the conquest of Makka.

[2] The Arabian Peninsula is that part of the earth which is surrounded by the Indian Ocean, the Mediterranean Sea, and the rivers of Tigris and Euphrates. Lengthwise, it extends from 'Aden to the outer fringes of Syria. In terms of its breadth, it spans from Jeddah to the surrounding regions of Iraq. Some people observed that the Arabian Peninsula is meant to be the region of Hijâz comprising Makka, Al-Madîna, Yamama, Tâ'if and their outskirts. This is how the term Hijâz is used in some of the old narratives. It thus becomes known that it is compulsory to expel all the Jews and polytheists from the Arabian Peninsula but their ouster from Hijâz has been solicited more emphatically.

[3] The soldiers have no share in the goods of *Fai* (the chattels seized upon by the Muslims without having to fight) in their capacity as soldiers. The Prophet صلى الله عليه وسلم and later on his caliphs, in accordance with the Divine instructions, used to distribute and spend the money realised from it on: the expenditure incurred by the family members of the Prophet صلى الله عليه وسلم; the per diem paid to the relatives of the Prophet صلى الله عليه وسلم; payments made to the orphans; financial assistance provided to the poor; and on hospitality offered to the travellers and wayfarers. the remainder of the money (if saved) was spent for the purchase of horses and other armaments.

weapons as equipment in the Path of Allâh Who is Great and Glorious." [Agreed upon].

اللهِ عَزَّ وَجَلَّ. مُتَّفَقٌ عَلَيْهِ.

**1120.** Narrated Mu'âdh (bin Jabal) رضى الله عنه: "We went on an expedition to Khaibar along with Allâh's Messenger صلى الله عليه وسلم and we got some sheep. Then Allâh's Messenger صلى الله عليه وسلم divided some of them among us and applied the rest of them as booty." [Reported by Abû Dâ'ud; its narrators are somehow reliable].

(١١٢٠) وَعَنْ مُعَاذٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: غَزَوْنَا مَعَ رَسُولِ اللهِ ﷺ خَيْبَرَ، فَأَصَبْنَا فِيهَا غَنَماً، فَقَسَمَ فِينَا رَسُولُ اللهِ ﷺ طَائِفَةً، وَجَعَلَ بَقِيَّتَهَا فِي الْمَغْنَمِ. رَوَاهُ أَبُو دَاوُدَ، وَرِجَالُهُ لاَ بَأْسَ بِهِمْ.

**1121.** Narrated Abû Râfi' رضى الله عنه: Allah's Messenger صلى الله عليه وسلم said, "I do not break a covenant[1] or imprison messengers." [Reported by Abû Dâ'ud and An-Nasâ'i; Ibn Hibbân graded it *Sahih* (sound)].

(١١٢١) وَعَنْ أَبِي رَافِعٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: **«إِنِّي لاَ أَخِيسُ بِالْعَهْدِ، وَلاَ أَحْبِسُ الرُّسُلَ»**. رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1122.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whatever town you take peacefully[2], your portion is in it; but whatever town disobeys Allâh and His Messenger, a fifth of (its booty) goes to Allâh and His Messenger and what remains is yours." [Reported by Muslim].

(١١٢٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: **«أَيُّمَا قَرْيَةٍ أَتَيْتُمُوهَا، فَأَقَمْتُمْ فِيهَا، فَسَهْمُكُمْ فِيهَا، وَأَيُّما قَرْيَةٍ عَصَتِ اللَّهَ وَرَسُولَهُ، فَإِنَّ خُمُسَهَا لِلَّهِ وَرَسُولِهِ، ثُمَّ هِيَ لَكُمْ»**. رَوَاهُ مُسْلِمٌ.

---

[1] This *Hadîth* inculcates to us that causing the breach of a war-related treaty and thereby arresting and stopping the disbelievers is not permitted. The incidence goes that Abû Râfi' (the freed-slave of the Prophet صلى الله عليه وسلم) came to the Prophet صلى الله عليه وسلم, prior to his embracing Islâm, as an emissary on behalf of the disbelievers. The moment he sighted the Prophet صلى الله عليه وسلم, he embraced Islâm. Then he requested the Prophet صلى الله عليه وسلم to stop him then and there as he did not like to go back (to the disbelievers). Upon hearing this, the Prophet صلى الله عليه وسلم expressed these words mentioned in this *Hadîth*.

[2] The first township alludes to the one where there is no fighting or bloodshed involved. The share of the warriors in a booty thus acquired from such a township is equal to the share of other Muslims. The second township implies the one where the fighting occurs. The one-fifth portion of the booty thus acquired shall be first taken out, then the rest of it shall be distributed among the soldiers.

## Chapter 1
## *JIZYA* AND *HUDNA*[1]
## (HEAD TAX AND TRUCE)

## ١ - بَابُ الْجِزْيَةِ وَالْهُدْنَةِ

**1123.** Narrated 'Abdur-Rahmân bin 'Auf رضي الله عنه: The Prophet صلى الله عليه وسلم took it - i.e., the *Jizya* - from the Magians of Hajar. [Reported by Al-Bukhâri. It has another authority in *Al-Muwatta'* of Imâm Mâlik which is *Munqati'*].

(١١٢٣) عَنْ عَبْدِ الرَّحْمٰنِ بْنِ عَوْفٍ، أَنَّ النَّبِيَّ ﷺ أَخَذَهَا، يَعْنِي الْجِزْيَةَ، مِنْ مَجُوسِ هَجَرَ. رَوَاهُ الْبُخَارِيُّ، وَلَهُ طَرِيقٌ فِي الْمُوَطَّإِ، فِيهَا انْقِطَاعٌ.

**1124.** Narrated 'Aasim[2] bin 'Umar from Anas and from 'Uthmân bin Abû Sulaimân[3] رضي الله عنهم : The Prophet صلى الله عليه وسلم sent Khâlid bin Al-Walid (رضي الله عنه) to Ukaidir of Daûmat-al-Jandal[4], and then they seized him and brought him. He then spared his life and made peace with him on condition that he should pay *Jizya*. [Reported by Abû Dâ'ud].

(١١٢٤) وَعَنْ عَاصِمِ بْنِ عُمَرَ، عَنْ أَنَسٍ، وَعَنْ عُثْمَانَ بْنِ أَبِي سُلَيْمَانَ رَضِيَ اللّٰهُ تَعَالَى عَنْهُمْ أَنَّ النَّبِيَّ ﷺ بَعَثَ خَالِدَ بْنَ الْوَلِيدِ إِلَى أُكَيْدِرِ دُومَةِ الْجَنْدَلِ فَأَخَذُوهُ، فَأَتَوا بِهِ فَحَقَنَ دَمَهُ وَصَالَحَهُ عَلَى الْجِزْيَةِ. رَوَاهُ أَبُو دَاوُدَ.

**1125.** Narrated Mu'âdh bin Jabal رضي الله عنه: The Prophet صلى الله عليه وسلم sent me to Yemen and commanded me to take (*Jizya*) from everyone,[5] who had

(١١٢٥) وَعَنْ مُعَاذِ بْنِ جَبَلٍ قَالَ: بَعَثَنِي النَّبِيُّ ﷺ إِلَى الْيَمَنِ فَأَمَرَنِي أَنْ آخُذَ مِنْ كُلِّ حَالِمٍ دِينَاراً، أَوْ عِدْلَهُ مُعَافِرِيًّا. أَخْرَجَهُ

---

[1] *Jizya* is a monetary payment which an Islâmic government realizes from its non-believing citizens as a head tax, which in turn is spent for their safety and welfare. *Hudna* implies a truce or armistice which is a temporary suspension of war for a stipulated period.

[2] Abû 'Umar 'Aasim bin 'Umar bin Qatâda bin An-Nu'mân Al-Ansâri was a reliable *Tabi'i* who narrated many *Ahâdith*. He was also knowledgeable regarding the accounts of the Islâmic history from the advent of the Prophet صلى الله عليه وسلم and the military expeditions. The year of his death has been differed on as being 119 H., 120 H., 121 H., 127 H., and 129 H.

[3] 'Uthmân bin Abû Sulaimân bin Jubair bin Mut'im was the *Qâdi* of Makka; and Ahmad, Ibn Ma'în and Abû Hâtim verified him as reliable.

[4] Damat-al-Jandal was a fortress near Tabûk held by Ukaidir who was a Christian, and this incident took place in the year 9 H. during the expedition of Tabûk.

[5] *Jizya* is of two kinds — an individual one, and a collective one. If realized individually, it will include the rich and the poor alike. The least amount which may be realized from a person is one Dinâr per year. However, the non-adult minors are exempted from it. Any such tax payment which a government realizes, will have to be above the said rate and not below it. In case the non-believers choose to pay it collectively saying that they shall be paying a certain

reached puberty, a Dinâr or its equivalent in *Ma'âfiri*[1].' [*Ath-Thalâtha* reported it; Ibn Hibbân and Al-Hâkim graded it *Sahîh* (sound)].

الثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**1126.** Narrated 'A'idh bin 'Amr Al-Muzani[2] رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Islâm is always superior and can never be surpassed."[3] [Ad-Dâraqutni reported it].

(١١٢٦) وَعَنْ عَائِذِ بْنِ عَمْرٍو الْمُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الإِسْلَامُ يَعْلُو، وَلَا يُعْلَى» أَخْرَجَهُ الدَّارَقُطْنِيُّ.

**1127.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not salute the Jews and Christians before they salute you,[4] and when you meet one of them on the road force him to go through the narrowest part of it." [Reported by Muslims].

(١١٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «لَا تَبْدَءُوا الْيَهُودَ وَالنَّصَارَى بِالسَّلَامِ، وَإِذَا لَقِيتُمْ أَحَدَهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُ إِلَى أَضْيَقِهِ». رَوَاهُ مُسْلِمٌ.

**1128.** Narrated Al-Miswar bin Makhrama and Marwân[5]: The Prophet صلى الله عليه وسلم went out in the year of *Al-Hudaibiya* — the narrator narrated the complete *Hadîth* and it contains: "This is what Muhammad

(١١٢٨) وَعَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ وَمَرْوَانَ أَنَّ النَّبِيَّ ﷺ خَرَجَ عَامَ الْحُدَيْبِيَةِ، فَذَكَرَ الْحَدِيثَ بِطُولِهِ، وَفِيهِ: «هٰذَا مَا صَالَحَ عَلَيْهِ مُحَمَّدُ بْنُ عَبْدِاللهِ، سُهَيْلَ بْنَ عَمْرٍو:

---

lump sum amount to the state annually, then such a payment shall not include the poor, but will be solely realized from the rich among them.

[1] i.e., garments of Yemen origin.

[2] Abû Hubaira, who settled at Basra, was among the righteous *Sahâba*. He attended *Bai't-ur-Ridwân* and died during the caliphate of Yazid bin Mu'âwiya.

[3] This *Hadîth* has been mentioned as an introduction to signing a truce. Even if one of the conditions of a treaty thus signed supposedly appears to be unfavourable to Muslims, they shall not lose heart, for Allâh will always uphold Islâm.

[4] This *Hadîth* clarifies that one should not be the first to greet a non-Muslim with the word *Salâm* and a Muslim should not clear his way for them in case he comes across one of them on the way.

[5] Marwân bin Al-Hakam Al-Umawi was the father of 'Abdul-Mâlik (the *Khalifa*). He governed Al-Madîna for Mu'âwiya. He competed with 'Abdullâh bin Az-Zubair over the caliphate after the death of Yazid and the abdication of his son Mu'âwiya. So he took over Egypt and Shâm. He died in Damascus in theYear 65 H.

bin 'Abdullâh has agreed[1] with Suhail bin 'Amr[2] — to abandon war for ten years during which the people would have security, and refrain from one another." [Abû Dâ'ud reported it; its source occurs in Al-Bukhâri].

عَلىٰ وَضعِ الْحَرْبِ عَشرَ سِنِيْنَ، وَيَأْمَنُ فِيْهَا النَّاسُ، وَيَكُفُّ بَعْضُهُمْ عَنْ بَعْضٍ». أَخْرَجَهُ أَبُو دَاوُدَ وَأَصْلُهُ فِي الْبُخَارِيِّ.

Muslim reported part of the aforesaid *Hadîth* from Anas رضي الله عنه and it contains: "If anyone came to us from you, we should not send him back, but if anyone came to you from us, you should send him back." They asked, "Should you write that down, O Allâh's Messenger?" He replied, "Yes; may Allâh remove far from His Mercy anyone who goes from us to them, but Allâh will make an escape and a way out for anyone who comes to us from them."

وَأَخْرَجَ مُسْلِمٌ بَعْضَهُ مِنْ حَدِيثِ أَنَسٍ، وَفِيهِ: أَنَّ مَنْ جَاءَنَا مِنْكُمْ لَمْ نَرُدَّهُ عَلَيْكُمْ، وَمَنْ جَاءَكُمْ مِنَّا رَدَدْتُمُوهُ عَلَيْنَا، فَقَالُوا: أَنَكْتُبُ هٰذَا؟ يَا رَسُولَ اللهِ! قَالَ: «نَعَمْ إِنَّهُ مَنْ ذَهَبَ مِنَّا إِلَيْهِمْ فَأَبْعَدَهُ اللَّهُ، وَمَنْ جَاءَنَا مِنْهُمْ فَسَيَجْعَلُ اللَّهُ لَهُ فَرَجاً وَمَخْرَجاً».

**1129.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "Whoever kills a *Mu'âhid*[3] will not smell the fragrance of Paradise, yet its fragrance can be smelt at a distance of forty year's journey." [Al-Bukhâri reported it].

(١١٢٩) وَعَنْ عَبْدِ اللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُما عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ قَتَلَ مُعَاهِداً لَمْ يَرِحْ رَائِحَةَ الْجَنَّةِ، وَإِنَّ رِيحَهَا لَيُوجَدُ مِنْ مَسِيرَةِ أَرْبَعِينَ عَاماً». أَخْرَجَهُ الْبُخَارِيُّ.

---

[1] This proves legitimacy of a peace accord being struck between the Muslims and non-Muslims. It further elaborates that if an *Amir*, as a prudent measure, realizes that such a treaty shall do the Muslims good in the long run, he should sign it without caring about the opposition or resentment of the public, which such a step may cause among them.

[2] He was one of Quraish's noble, wise, orators and statesmen. He was captured at Badr as a *Kâfir*, but became Muslim on the day of the conquest of Makka. Quraish remained in Islâm during *Ar-Ridda* period due to his influence. It was said that he was martyred in the battle of Yarmûk in the year 14 H. or at Marj As-Safr or in the plague of Amwâs in the year 18 H.

[3] *Mu'âhid* a is non-believer who is basically a resident of a non-Muslim territory and has entered an Islâmic country pursuant to acquiring an asylum from the Islâmic government. This also must be made clear that the murder of a *Mu'âhid* is of far greater intensity (in terms of consequences) than the murder of a Muslim, because the murder of a Muslim is a personal matter whereas the murder of a *Mu'âhid* is a matter which involves the whole nation thus bringing a bad name to all the Muslims. There is a common consensus to the effect that the murder of a *Mu'âhid* is forbidden.

## Chapter 2
## RACING AND SHOOTING

## ٢ - بَابُ السَّبْقِ وَالرَّمْيِ

**1130.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم held a race between the horses[1] which had been made lean by training from Al-Hafyâ' to Thaniyat Al-Wadâ'[2], and he held a race, from Thaniya to the mosque of Banu Zuraiq, between the horses which had not undergone such training. Ibn 'Umar (رضي الله عنهما) was among those who took part in the race. [Agreed upon].

(١١٣٠) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَابَقَ النَّبِيُّ ﷺ بِالْخَيْلِ الَّتِي قَدْ أُضْمِرَتْ، مِنَ الْحَفْيَاءِ، وَكَانَ أَمَدُهَا ثَنِيَّةَ الْوَدَاعِ، وَسَابَقَ بَيْنَ الْخَيْلِ الَّتِي لَمْ تُضْمَرْ، مِنَ الثَّنِيَّةِ إِلَىٰ مَسْجِدِ بَنِي زُرَيْقٍ، وَكَانَ ابْنُ عُمَرَ فِيمَنْ سَابَقَ. مُتَّفَقٌ عَلَيْهِ.

Al-Bukhâri added: Sufyân said, "From Al-Hafyâ' to Thaniyat Al-Wadâ' is a distance of six miles, and from the Thaniya to the mosque of Banu Zuraiq is a distance of one mile."

زَادَ الْبُخَارِيُّ «قَالَ سُفْيَانُ: مِنَ الْحَفْيَاءِ إِلَىٰ ثَنِيَّةِ الْوَدَاعِ خَمْسَةُ أَمْيَالٍ، أَوْ سِتَّةٌ، وَمِنَ الثَّنِيَّةِ إِلَىٰ مَسْجِدِ بَنِي زُرَيْقٍ مِيلٌ».

**1131.** Narrated (Ibn 'Umar) رضي الله عنهما: The Prophet صلى الله عليه وسلم held a race between horses and made the destination for the full-grown up ones at a longer distance. [Reported by Ahmad and Abû Dâ'ud; Ibn Hibbân graded it *Sahih* (sound)].

(١١٣١) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ سَابَقَ بَيْنَ الْخَيْلِ، وَفَضَّلَ الْقُرَّحَ فِي الْغَايَةِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1132.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Wagers are allowed only for racing camels, shooting arrows or racing horses,"[3] [Reported by Ahmad and *Ath-Thalâtha*; Ibn Hibbân declared it to be *Sahih* (sound)].

(١١٣٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا سَبَقَ إِلَّا فِي خُفٍّ، أَوْ نَصْلٍ، أَوْ حَافِرٍ». رَوَاهُ أَحْمَدُ، وَالثَّلَاثَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

[1] This *Hadîth* states that the horse racing and archery are permissible. However, the strength and the age of a horse also must be taken into consideration. An ordinary horse may be made to run a mile without any scruple, whereas a five mile run will cause no strain on a trained horse.

[2] A mountain pass in Al-Madîna on the way to Al-'Aqaba.

[3] This implies that neither racing nor a prize-giving or taking is forbidden on camels and horses provided that the pre-determined prize-condition on such a race is one-sided only.

**1133.** Narrated (Abû Huraira) رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone enters a horse in a race[1] with two others - when he is not certain that it cannot be beaten, there is no harm in it, but when he is certain (it cannot be beaten), it is then gambling."[2] [Ahmad and Abû Dâ'ud reported it with a weak *Isnâd*].

(١١٣٣) وَعَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَدْخَلَ فَرَساً بَيْنَ فَرَسَيْنِ، وَهُوَ لاَ يَأْمَنُ أَنْ يَسْبِقَ فَلا بَأْسَ بِهِ، فَإِنْ أَمِنَ فَهُوَ قِمَارٌ» رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَإِسْنَادُهُ ضَعِيفٌ.

**1134.** Narrated 'Uqba bin 'Aamir رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم recite when he was on the pulpit: "And make ready against them all you can of power, including steeds of war (tank, planes, etc.)[3] — Surely strength is in shooting; surely strength is in shooting; surely strength is in shooting."[4] [Reported by Muslim].

(١١٣٤) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ، وَهُوَ عَلَى الْمِنْبَرِ، يَقُولُ: ﴿وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ﴾ الآيَة، أَلاَ! إِنَّ الْقُوَّةَ الرَّمْيُ، أَلاَ! إِنَّ الْقُوَّةَ الرَّمْيُ، أَلاَ! إِنَّ الْقُوَّةَ الرَّمْيُ». رَوَاهُ مُسْلِمٌ.

---

[1] The original purpose of horse racing is to test the strength of a horse in terms of running, and the prize-giving is only besides the point. If the predetermined condition is stipulated by the competing parties in such a way that: "If your horse excels, I will pay you twenty Riyals or my horse shall be yours otherwise, you pay me twenty Riyals or your horse shall be mine," then such a practice is forbidden by a common consensus. In case the horse racing is based on a one-sided commitment only by one party stating: "I will pay you twenty Riyals, if your horse excels", such a thing is permissible. Another permissible permutation is an announcement by a third party stating: "I shall pay the winning party such and such amount."

[2] If it is known that such and such horse is definitely going to win, it is not permissible to make it run solely for the purpose of prize-winning.

[3] *Sûrat Al-Anfâl*, Verse 60.

[4] Archery was the pinnacle of a warfare those days. In modern times, the learning of new armaments and war techniques shall be considered as power and strength.

# 12. THE BOOK OF FOODS

# ١٢ - كِتَابُ الأَطْعِمَةِ

**1135.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Eating any fanged beast of prey[1] is prohibited." [Reported by Muslim].

Muslim reported the aforesaid *Hadîth* from Ibn 'Abbâs' narration with this version: "He prohibited." And he added: "And every bird with claws."

(١١٣٥) عَنْ أَبِيْ هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «كُلُّ ذِي نَابٍ مِنَ السِّبَاعِ فَأَكْلُهُ حَرَامٌ». رَوَاهُ مُسْلِمٌ.

وَأَخْرَجَهُ مِنْ حَدِيْثِ ابْنِ عَبَّاسٍ، بِلَفْظِ: «نَهَى». وَزَادَ: «وَكُلِّ ذِيْ مِخْلَبٍ مِنَ الطَّيْرِ».

**1136.** Narrated Jâbir رضي الله عنه: On the Day of Khaibar, Allâh's Messenger صلى الله عليه وسلم forbade the flesh of domestic asses,[2] but permitted horse flesh. [Agreed upon]. A version by Al-Bukhâri has: "He gave permission."

(١١٣٦) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ يَوْمَ خَيْبَرَ عَنْ لُحُومِ الْحُمُرِ الْأَهْلِيَّةِ، وَأَذِنَ فِي لُحُومِ الْخَيْلِ. مُتَّفَقٌ عَلَيْهِ، وَفِيْ لَفْظٍ لِلْبُخَارِيِّ: «وَرَخَّصَ».

**1137.** Narrated Ibn Abû Aufâ رضي الله عنهما: We went on seven expeditions with Allâh's Messenger صلى الله عليه وسلم and we ate locusts. [Agreed upon].

(١١٣٧) وَعَنِ ابْنِ أَبِيْ أَوْفَى رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: غَزَوْنَا مَعَ رَسُولِ اللهِ ﷺ سَبْعَ غَزَوَاتٍ، نَأْكُلُ الْجَرَادَ. مُتَّفَقٌ عَلَيْهِ.

**1138.** Narrated Anas رضي الله عنه regarding the story of the hare: He (Abû Talha) slaughtered it and sent its haunch to Allâh's Messenger صلى الله عليه وسلم, and he accepted it.[3] [Agreed upon].

(١١٣٨) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الْأَرْنَبِ - قَالَ: فَذَبَحَهَا فَبَعَثَ بِوَرِكِهَا إِلَى رَسُولِ اللهِ ﷺ، فَقَبِلَهُ. مُتَّفَقٌ عَلَيْهِ.

**1139.** Narrated Ibn 'Abbâs رضي الله عنهما: "Allâh's Messenger صلى الله عليه وسلم

(١١٣٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ

[1] This *Hadîth* mentions a clear-cut and exhaustive indication of a standard stating that any four-hoofed, flesh-eating beast of prey is forbidden to be eaten. Similarly, any of the birds nibbling at its repast with the grip of its talons is forbidden.

[2] A wild ass (zebra) is not forbidden.

[3] Hare is among the permissible ones according to the majority of the scholars.

prohibited the killing of four creatures: ants, bees, hoopoes and shrikes." [Reported by Ahmad and Abû Dâ'ud. Ibn Hibbân graded it *Sahih* (sound)].

تَعالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ قَتْلِ أَرْبَعٍ مِنَ الدَّوَابِّ: النَّمْلَةِ، وَالنَّحْلَةِ، وَالْهُدْهُدِ، وَالصُّرَدِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1140.** Narrated Ibn Abû 'Ammâr[1]: I asked Jâbir (رضى الله عنه), "Is hyena a game?" He replied, "Yes."[2] I asked, "Did Allâh's Messenger صلى الله عليه وسلم say that?" He replied, "Yes." [Reported by Ahmad and *Al-Arba'a*. Al-Bukhâri and Ibn Hibbân graded it *Sahih* (sound)].

(١١٤٠) وَعَنِ ابْنِ أَبِي عَمَّارٍ قَالَ: قُلْتُ لِجَابِرٍ: الضَّبُعُ صَيْدٌ هِيَ؟ قَالَ: نَعَمْ، قُلْتُ: قَالَهُ رَسُولُ اللهِ ﷺ؟! قَالَ: نَعَمْ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ الْبُخَارِيُّ وَابْنُ حِبَّانَ.

**1141.** Narrated Ibn 'Umar رضى الله عنهما: He was asked about the hedgehog and he recited "Say (O Muhammad صلى الله عليه وسلم): I find not in that which has been inspired to me anything forbidden..."[3] An old man who was present said: I heard Abû Huraira رضى الله عنه say, 'It was mentioned in the presence of the Prophet صلى الله عليه وسلم and he said, "It is an abomination from those things which are abominable."' [Ahmad and Abû Dâ'ud reported it; its chain of narrators is weak].

(١١٤١) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّهُ سُئِلَ عَنِ الْقُنْفُذِ، فَقَالَ: ﴿قُل لَّا أَجِدُ فِيمَا أُوحِيَ إِلَيَّ مُحَرَّمًا﴾ الْآيَةَ فَقَالَ شَيْخٌ عِنْدَهُ: سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ يَقُولُ: ذُكِرَ عِنْدَ النَّبِيِّ ﷺ، فَقَالَ: «إِنَّهَا خَبِيثَةٌ مِنَ الْخَبَائِثِ». أَخْرَجَهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَإِسْنَادُهُ ضَعِيفٌ.

**1142.** Narrated Ibn 'Umar رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم prohibited eating or drinking the milk

(١١٤٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ عَنْ

[1] He is 'Abdur-Rahmân bin 'Abdullâh bin Abû 'Ammâr Al-Qurashi Al-Makki. He was a devoted worshipper and An-Nasâi verified him as reliable.

[2] This *Hadîth* indicates that the eating of a hyena is permissible. According to some *Imâm*, it is permissible, whereas according to some others, it is forbidden. One of the reasons it is said to be forbidden is that it likes to feed on the human flesh and therefore digs into the graves.

[3] *Sûrat Al-An'âm*, Verse 145.

of the animal which feeds on filth.[1] [*Al-Arba'a* except An-Nasâ'i reported it; At-Tirmidhi graded it *Hasan* (fair)].

الْجَلَّالَةِ وَأَلْبَانِهَا. أَخْرَجَهُ الْأَرْبَعَةُ إِلَّا النَّسَائِيَّ، وَحَسَّنَهُ التِّرْمِذِيُّ.

**1143.** Narrated Abû Qatâda رضي الله عنه regarding the zebra's story; The Prophet صلى الله عليه وسلم ate from it. [Agreed upon].

(١١٤٣) وَعَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - فِي قِصَّةِ الْحِمَارِ الْوَحْشِيِّ -: فَأَكَلَ مِنْهُ النَّبِيُّ ﷺ. مُتَّفَقٌ عَلَيْهِ.

**1144.** Narrated Asmâ' bint Abû Bakr رضي الله عنهما: In the time of Allâh's Messenger صلى الله عليه وسلم, we sacrificed a horse and ate it.[2] [Agreed upon].

(١١٤٤) وَعَنْ أَسْمَاءَ بِنْتِ أَبِي بَكْرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَتْ: نَحَرْنَا عَلَى عَهْدِ رَسُولِ اللَّهِ فَرَساً فَأَكَلْنَاهُ. مُتَّفَقٌ عَلَيْهِ.

**1145.** Narrated Ibn 'Abbâs رضي الله عنهما: The sand lizard was served as food on the table of Allâh's Messenger[3] صلى الله عليه وسلم. [Agreed upon].

(١١٤٥) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أُكِلَ الضَّبُّ عَلَى مَائِدَةِ رَسُولِ اللَّهِ ﷺ. مُتَّفَقٌ عَلَيْهِ.

**1146.** Narrated 'Abdur-Rahmân bin 'Uthmân Al-Qurashi رضي الله عنه: A physician consulted Allâh's Messenger صلى الله عليه وسلم about extracting medicine from frogs and he prohibited killing[4] them. [Ahmad

(١١٤٦) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ عُثْمَانَ الْقُرَشِيِّ، أَنَّ طَبِيباً سَأَلَ رَسُولَ اللَّهِ ﷺ عَنِ الضِّفْدَعِ يَجْعَلُهَا فِي دَوَاءٍ، فَنَهَى عَنْ قَتْلِهَا. أَخْرَجَهُ أَحْمَدُ، وَصَحَّحَهُ الْحَاكِمُ.

---

[1] In Arabic, *Jallala* is a term used for the animals that feed on waste and filth, whether it is a she-camel, a cow, or a goat and similarly whether a male or a female. Whether or not it is permissible to use the flesh and milk of such an animal, is a matter of dissension among the scholars from the very beginning. Some regard it as permissible whereas the others observe it as forbidden. An animal shall be considered a *Jallala* if the major part of its feed consists of the human waste and refuse. If the greater part of what it consumes comprises the things that are permissible, the animal shall not fall under this category.

[2] A *Hadîth* has been mentioned prior to this one regarding the permissibility of horse meat. All these *Ahâdith* state that the eating of its meat is permissible.

[3] It is deduced from certain *Ahâdith* that *Dabb* (a kind of sand lizard) should not be eaten. The Prophet صلى الله عليه وسلم never ate it himself, but his Companions did eat the same before him while eating off his dining sheet-spread. He was invited to eat it, but refused partaking of it and did not forbid the people around him to eat it either. The scholars, in their writings have mentioned it as *Makrûh Tanzihi* (things or actions rated as a less degree of the undesirables).

[4] We learn through this *Hadîth* that the meat of a frog is forbidden.

reported it; Al-Hâkim graded it *Sahih* (sound].

## Chapter 1
## GAME AND ANIMALS WHICH MAY BE SLAUGHTERED

## ١ - بَابُ الصَّيْدِ وَالذَّبَائِحِ

**1147.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone gets a dog except a sheepdog or a hunting dog, or a farm dog,[1] a carat of his reward will be deducted daily." [Agreed upon].

(١١٤٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنِ اتَّخَذَ كَلْباً إِلاَّ كَلْبَ مَاشِيَةٍ، أَوْ صَيْدٍ، أَوْ زَرْعٍ، انْتَقَصَ مِنْ أَجْرِهِ كُلَّ يَوْمٍ قِيرَاطٌ». مُتَّفَقٌ عَلَيْهِ.

**1148.** Narrated 'Adi bin Hâtim[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When you set off your dog, mention Allâh's Name,[3] and if it catches anything for you and you come up to it while it is still alive slaughter it; if you come up to it when the dog has killed it but not eaten any of it, eat it. If you find another dog with yours and a kill has been made, do not eat, for you do not know which of them killed the animal. When you shoot your arrow, mention Allâh's Name and if the game goes out of

(١١٤٨) وَعَنْ عَدِيِّ بْنِ حَاتِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «إِذَا أَرْسَلْتَ كَلْبَكَ فَاذْكُرِ اسْمَ اللهِ عَلَيْهِ، فَإِنْ أَمْسَكَ عَلَيْكَ فَأَدْرَكْتَهُ حَيّاً فَاذْبَحْهُ، وَإِنْ أَدْرَكْتَهُ قَدْ قُتِلَ، وَلَمْ يَأْكُلْ مِنْهُ فَكُلْهُ، وَإِنْ وَجَدْتَ مَعَ كَلْبِكَ كَلْباً غَيْرَهُ، وَقَدْ قُتِلَ، فَلاَ تَأْكُلْ. فَإِنَّكَ لاَ تَدْرِي أَيُّهُمَا قَتَلَهُ، وَإِنْ رَمَيْتَ بِسَهْمِكَ فَاذْكُرِ اسْمَ اللهِ، فَإِنْ غَابَ عَنْكَ يَوْماً فَلَمْ تَجِدْ فِيهِ إِلاَّ أَثَرَ سَهْمِكَ فَكُلْ إِنْ

[1] For the reasons other than hunting or safeguarding a property, it is prohibited to raise a dog as a pet.

[2] 'Adi bin Hâtim At-Tâ'i and his father were famous for their generosity. He visited the Prophet صلى الله عليه وسلم in the year 7 H. and both him and his people held firm to Islâm during the Ridda period. The first *Zakât* to reach Abû Bakr was that of 'Adi and his people. He witnessed the conquest of Madâ'in and was with 'Ali during his campaigns loosing an eye in the battle of Al-Jamal, and died in 120 H. at the age of 68 years.

[3] Hunting for the purpose of earning, profitability or eating is allowed. But the same is undesirable if done merely as a recreation or pastime. It is permissible to use either a dog or other animals of prey in hunting. However, there are two conditions governing it. First of all, the dog must be unleashed by reciting *Bismillâh* and secondly, the dog thus released should be a trained one (for the purpose of hunting). If the dog eats off the hunted animal, it turns unlawful for human consumption, otherwise, the same is lawful.

your sight for a day and you find in it only the mark of your arrow eat if you wish, but if you find it drowned in water do not eat." [Agreed upon; the version is of Muslim].

شِئْتَ، وَإِنْ وَجَدْتَهُ غَرِيقاً فِي الْمَاءِ فَلاَ تَأْكُلْ». مُتَّفَقٌ عَلَيْهِ، وَهٰذَا لَفْظُ مُسْلِمٍ.

**1149.** Narrated 'Adi رضي الله عنه: I asked Allâh's Messenger صلى الله عليه وسلم about hunting with featherless arrows (*Mi'râd*) and he replied, "If the game is killed with its sharp edge,[1] eat it; but if it strikes with the middle part and the kill is beaten to death, it is considered a *Mauqûdha*[2], so do not eat it." [Reported by Al-Bukhâri.

(١١٤٩) وَعَنْ عَدِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنْ صَيْدِ الْمِعْرَاضِ فَقَالَ: «إِذَا أَصَبْتَ بِحَدِّهِ فَكُلْ، وَإِذَا أَصَبْتَ بِعَرْضِهِ فَقَتَلَ فَإِنَّهُ وَقِيذٌ، فَلاَ تَأْكُلْ». رَوَاهُ الْبُخَارِيُّ.

**1150.** Narrated Abû Tha'laba رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When you shoot your arrow and the animal goes out of your sight,[3] eat it when you come upon it, provided it has not rotten." [Muslim reported it].

(١١٥٠) وَعَنْ أَبِي ثَعْلَبَةَ، رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا رَمَيْتَ بِسَهْمِكَ، فَغَابَ عَنْكَ، فَأَدْرَكْتَهُ: فَكُلْهُ، مَا لَمْ يُنْتِنْ». أَخْرَجَهُ مُسْلِمٌ.

**1151.** Narrated 'Aisha رضي الله عنها: Some people said to the Prophet صلى الله عليه وسلم, "There are people who bring us meat and we do not know whether or not they mention Allâh's Name over it." He replied, "Mention Allâh's Name

(١١٥١) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: أَنَّ قَوْماً قَالُوا لِلنَّبِيِّ ﷺ: إِنَّ قَوْماً يَأْتُونَنَا بِاللَّحْمِ لاَ نَدْرِي أَذَكَرُوا اسْمَ اللهِ عَلَيْهِ، أَمْ لاَ؟ فَقَالَ: «سَمُّوا اللَّهَ عَلَيْهِ أَنْتُمْ، وَكُلُوهُ». رَوَاهُ الْبُخَارِيُّ.

---

[1] One of the rulings governing a hunting expedition is that if the animal thus preyed upon dies out of bleeding by being wounded through a razor-sharp object, it is permissible to be eaten; but if the same dies out of being hit by an object (due to sustaining some contused wounds), the consumption of the same turns unlawful.

[2] i.e., an animal beaten to death with a stick, a stone and the like without proper slaughtering.

[3] If an animal, struck by an arrow, runs out of sight and is later found to be dead lying in water, it is forbidden to be eaten; but if the same is to be found alive, it must be slaughtered. If the same is found to be dead lying on the ground visibly sustaining no injury other than the one inflicted by an arrow, it is lawful to be eaten. But if the same is found to be sustaining a wound other than that of an arrow, it becomes forbidden for the human consumption.

yourselves and eat it."[1] [Reported by Al-Bukhâri].

**1152.** Narrated 'Abdullâh bin Mughaffal رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم forbade throwing pebbles[2] and said, "A game is not caught by such means, neither is an enemy injured, but you may sometimes break a tooth or put out an eye." [Agreed upon; the version being of Muslim].

(١١٥٢) وَعَنْ عَبْدِاللهِ بْنِ مُغَفَّلٍ الْمُزَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنِ الْحَذْفِ، وَقَالَ إِنَّهَا: «لاَ تَصِيدُ صَيْداً، وَلاَ تَنْكَأُ عَدُوّاً، وَلَكِنَّهَا تَكْسِرُ السِّنَّ، وَتَفْقَأُ الْعَيْنَ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**1153.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "Do not take any living creature as a target." [Reported by Muslim].

(١١٥٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهما، أَنَّ النَّبِيَّ ﷺ قَالَ: «لاَ تَتَّخِذُوا شَيْئاً فِيهِ الرُّوحُ غَرَضاً». رَوَاهُ مُسْلِمٌ.

**1154.** Narrated Ka'b bin Mâlik رضي الله عنه: A woman slaughtered a sheep with a stone, so the Prophet صلى الله عليه وسلم was asked about that and he ordered it to be eaten.[3] [Reported by Muslim].

(١١٥٤) وَعَنْ كَعْبِ بْنِ مَالِكٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ امْرَأَةً ذَبَحَتْ شَاةً بِحَجَرٍ، فَسُئِلَ النَّبِيُّ ﷺ عَنْ ذٰلِكَ، فَأَمَرَ بِأَكْلِهَا. رَوَاهُ مُسْلِمٌ.

**1155.** Narrated Râfi' bin Khadij رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When Allâh's Name is mentioned, you may eat what is killed by anything which causes the blood to flow, except a tooth and a claw.[4] The tooth is a bone and the claw is the knife of the Abyssinians (Ethiopians)." [Agreed upon].

(١١٥٥) وَعَنْ رَافِعِ بْنِ خَدِيجٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللهِ عَلَيْهِ، فَكُلْ، لَيْسَ السِّنَّ وَالظُّفُرَ، أَمَّا السِّنُّ فَعَظْمٌ، وَأَمَّا الظُّفُرُ فَمُدَى الْحَبَشَةِ». مُتَّفَقٌ عَلَيْهِ.

---

[1] This *Hadith* inculcates a principle that as long as one is not absolutely sure that a certain meat is unlawful, he may not declare it to be as such merely on the basis of doubt, particularly when the same happens to be in possession of a Muslim.

[2] The pebbles here allude to small pebbles which spell harm through and through and can be used to nobody's advantage.

[3] This *Hadith* informs us that an animal slaughtered by a woman is lawful on the condition that: a) she is a Muslim and, b) she recites the standard formula of pronouncing *Bismillâh, Allâhu-Akbar* while slaughtering an animal.

[4] Any sharp object (other than a tooth, a nail, or a bone) which makes the blood flow out of an animal's body, is permissible to be used for the purpose of slaughtering an animal.

**1156.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم forbade beating a tied-up animal to death.[1] [Reported by Muslim].

(١١٥٦) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يُقْتَلَ شَيْءٌ مِّنَ الدَّوَابِّ صَبْراً. رَوَاهُ مُسْلِمٌ.

**1157.** Narrated Shaddâd bin Aus رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Verily. Allâh has prescribed proficiency in all things. Thus, if you kill, kill well; and when you slaughter an animal, do it in a good way; and anyone of you should sharpen his blade so that the animal may be spared from the suffering of the slaughtering."[2] [Reported by Muslim].

(١١٥٧) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ، فَإِذَا قَتَلْتُمْ فَأَحْسِنُوا الْقِتْلَةَ، وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذِّبْحَةَ، وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ، وَلْيُرِحْ ذَبِيحَتَهُ». رَوَاهُ مُسْلِمٌ.

**1158.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The slaughter of the *Janin* (fetus) is included when its mother is slaughtered."[3] [Ahmad reported it, and Ibn Hibbân graded it *Sahih* (sound)].

(١١٥٨) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ذَكَاةُ الْجَنِينِ ذَكَاةُ أُمِّهِ». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1159.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "A Muslim's name is sufficient for him, so if he forgets to mention Allâh's Name when he slaughters an animal, he should mention Allâh's Name,

(١١٥٩) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «الْمُسْلِمُ يَكْفِيهِ اسْمُهُ، فَإِنْ نَسِيَ أَنْ يُسَمِّيَ حِينَ يَذْبَحُ فَلْيُسَمِّ ثُمَّ لِيَأْكُلْ». أَخْرَجَهُ الدَّارَقُطْنِيُّ، وَفِيهِ رَاوٍ

---

[1] In Arabic, the word *Sabr* has two meanings: a) To kill an animal by subjecting him to an extremity of thirst and hunger (starving it to death). b) Focusing on an animal as a target and killing it by throwing darts at it as if practising a sport and thus piercing the animal to death in the process. Both of these acts are forbidden.

[2] Even if someone has to be executed, he should be killed in such a manner that he faces the least amount of agony and that his soul passes away at the earliest. This *Hadith* implies exactly the same point.

[3] This *Hadith* implies that if a dead fetus emerges out of a slaughtered animal (a female one), the flesh of that fetus is lawful too. In case it emerges alive, it will then be slaughtered by a common consensus of all the scholars.

then eat it."[1] [Ad-Dâraqutni reported it. There is a transmitter in its chain of narrators who had weakness in memory and Muhammad bin Yazid bin Sinân[2], the narrator, had a weak memory but was truthful. 'Abdur-Razzâq reported the aforesaid *Hadîth* with a sound chain of narrators but does not go further than Ibn 'Abbâs (رضي الله عنهما). It has an authority by Abû Dâ'ud in his *Marâsil* and with the following version: "The slaughtering of any Muslim is lawful whether or not he mentions Allâh's Name over it." Its narrators are reliable].

فِي حِفْظِهِ ضَعْفٌ، وَفِي إِسْنَادِهِ مُحَمَّدُ بْنُ يَزِيدَ بْنِ سِنَانٍ، وَهُوَ صَدُوقٌ ضَعِيفُ الْحِفْظِ، وَأَخْرَجَهُ عَبْدُ الرَّزَّاقِ بِإِسْنَادٍ صَحِيحٍ إِلَى ابْنِ عَبَّاسٍ، مَوْقُوفاً عَلَيْهِ. وَلَهُ شَاهِدٌ عِنْدَ أَبِي دَاوُدَ، فِي مَرَاسِيلِهِ: بِلَفْظِ: «ذَبِيحَةُ الْمُسْلِمِ حَلَالٌ، ذَكَرَ اسْمَ اللهِ عَلَيْهَا أَمْ لَمْ يَذْكُرْ». وَرِجَالُهُ مُوَثَّقُونَ.

## Chapter 2
## THE SACRIFICES[3]

## ٢ - بَابُ الأَضَاحِي

**1160.** Narrated Anas bin Mâlik رضي الله عنه: "The Prophet صلى الله عليه وسلم used to sacrifice two two-horned rams, mention Allâh's Name and say Allâh is Most Great, and place his foot on their sides." A version has: 'He slaughtered them with his own hands.' [Agreed upon]. In another version: 'two fat rams.' Abû 'Awâna

(١١٦٠) عَنْ أَنَسِ بْنِ مَالِكٍ، رَضِيَ اللهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ كَانَ يُضَحِّي بِكَبْشَيْنِ أَمْلَحَيْنِ أَقْرَنَيْنِ، وَيُسَمِّي، وَيُكَبِّرُ، وَيَضَعُ رِجْلَهُ عَلَى صِفَاحِهِمَا. وَفِي لَفْظٍ: «ذَبَحَهُمَا بِيَدِهِ» مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ: «سَمِينَيْنِ». وَلِأَبِي عَوَانَةَ فِي صَحِيحِهِ:

---

[1] If a Muslim does not pronounce a *Takbîr* (saying *Allâhu-Akbar*) deliberately while slaughtering an animal, it becomes unlawful; but in case he omits pronouncing it due to forgetfulness, the same is permissible. This ruling is accepted by all the scholars.

[2] He was nicknamed Abû 'Abdullâh and was from At-Tamimi tribe. Abû Hâtim said, 'He was not a strong *Hadith* authority. He was however, a pious man.' Abû Dâ'ud said, 'He is nothing', and An-Nasâ'i said, 'he was not strong.' Ibn Hibbân mentioned in *Ath-Thiqât* that he died in 220 H.

[3] Sacrificing is of two kinds. The first one is known as *Hady* and the other one as *Udhiya*. *Hady* is the one offered by the pilgrims as one of the *Hajj* rituals in Mina, and *Udhiya* is the one offered by the Muslims worldwide either on the day of *'Eid-ul-Adha* or during the days of *Tashrîq*. According to the majority of the scholars, offering *Udhiya* sacrifices is a *Sunna* (a supererogatory act); whereas according to some of them, the same is compulsory. This sacrifice is called *Udhiya* because it is offered at *Duha* (the forenoon time).

has in his *Sahih*: '*Thaminain* with '*Th*' instead of '*S*' (meaning precious). A version by Muslim has: 'And he said, "In the Name of Allâh" and "Allâh is Most Great." '

«ثَمِينَيْنِ» بِالْمُثَلَّثَةِ بَدَلَ السِّينِ. وَفِي لَفْظٍ لِمُسْلِمٍ: «وَيَقُولُ بِسْمِ اللهِ وَاللَّهُ أَكْبَرُ».

Muslim has reported from the *Hadîth* of 'Aisha رضى الله عنها: 'He (صلى الله عليه وسلم) ordered a horned ram with black legs, black belly and black around the eyes, and it was brought for him to sacrifice and he said to 'Aisha (رضى الله عنها), " 'Aisha, get the knife." Then he said, "Sharpen it with a stone." When she had done so he took it, then taking it (the ram) he placed it on the ground and slaughtered it. He then said, "In the Name of Allâh, O Allâh, accept it from Muhammad, Muhammad's family and from Muhammad's *Ummah* (followers)." Then he sacrificed it.'

وَلَهُ مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَمَرَ بِكَبْشٍ أَقْرَنَ، يَطَأُ فِي سَوَادٍ، وَيَبْرُكُ فِي سَوَادٍ، وَيَنْظُرُ فِي سَوَادٍ، لِيُضَحِّيَ بِهِ، فَقَالَ: اشْحَذِي الْمُدْيَةَ، ثُمَّ أَخَذَهَا فَأَضْجَعَهُ، ثُمَّ ذَبَحَهُ، وَقَالَ: بِسْمِ اللهِ، اللَّهُمَّ تَقَبَّلْ مِنْ مُحَمَّدٍ، وَآلِ مُحَمَّدٍ، وَمِنْ أُمَّةِ مُحَمَّدٍ. ﷺ

**1161.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who has the means and did not sacrifice must not come near our place of prayer."[1] [Reported by Ahmad and Ibn Mâjah, Al-Hâkim graded it *Sahih* (sound). The other *Imâm* preponderated it as *Mauqûf*].

(١١٦١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ كَانَ لَهُ سَعَةٌ وَلَمْ يُضَحِّ فَلاَ يَقْرَبَنَّ مُصَلاَّنَا». رَوَاهُ أَحْمَدُ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ لٰكِن رَجَّحَ الأَئِمَّةُ غَيْرُهُ وَقْفَهُ.

**1162.** Narrated Jundub bin Sufyân[2] رضى الله عنه: I witnessed '*Eid-ul-Adha*

(١١٦٢) وَعَنْ جُنْدَبِ بْنِ سُفْيَانَ

[1] Some people, by inferring from this *Hadith*, regard the act of offering sacrifice as *Wâjib* (compulsory), but in proper terms, it is *Sunnat Mu'akkada* (a supererogatory act which was practised and stressed upon by the Prophet صلى الله عليه وسلم). During modern times, there are some derelict and delinquent people who reject the concept of offering sacrifice itself. No one among the adherents of Islâm till recent times, had the cheek of rejecting it in an outright manner. *Ahâdith* are replete with the instigations inculcating people about its significance and importance.

[2] Jundub bin 'Abdullâh bin Sufyân Al-Bajali Al-'Alaqi was a *Sahâbi*. He died in the year 60 H.

with Allâh's Messenger صلى الله عليه وسلم and when he finished his prayer with the people, he looked at a sheep which had been sacrificed, so he said, "Anyone who has sacrificed before prayer must sacrifice a goat in its place[1] and if anyone has not sacrificed he should do so in Allâh's Name." [Agreed upon].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: شَهِدْتُ الْأَضْحَى مَعَ رَسُولِ اللهِ ﷺ، فَلَمَّا قَضَى صَلاَتَهُ بِالنَّاسِ نَظَرَ إِلَىٰ غَنَمٍ قَدْ ذُبِحَتْ، فَقَالَ: «مَنْ ذَبَحَ قَبْلَ الصَّلاَةِ فَلْيَذْبَحْ شَاةً مَكَانَهَا، وَمَنْ لَمْ يَكُنْ ذَبَحَ فَلْيَذْبَحْ عَلَى اسْمِ اللهِ». مُتَّفَقٌ عَلَيْهِ.

**1163.** Narrated Al-Barâ bin 'Azib رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم stood up among us and said, "There are four types[2] of sacrificial animals which are not permitted: A one-eyed animal which has obviously lost the sight of one eye, a sick animal which is obviously sick, a lame animal which obviously limps, and an old animal which has no marrow." [Reported by Ahmad and *Al-Arba'a*. At-Tirmidhi and Ibn Hibbân graded it *Sahih* (sound)].

(١١٦٣) وَعَنِ الْبَرَاءِ بْنِ عَازِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَامَ فِينَا رَسُولُ اللهِ ﷺ فَقَالَ: «أَرْبَعٌ لاَ تَجُوزُ فِي الضَّحَايَا: الْعَوْرَاءُ الْبَيِّنُ عَوَرُهَا، وَالْمَرِيضَةُ الْبَيِّنُ مَرَضُهَا، وَالْعَرْجَاءُ الْبَيِّنُ ضَلَعُهَا، وَالْكَبِيرَةُ الَّتِي لاَ تُنْقِي». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ.

**1164.** Narrated Jâbir رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Sacrifice only a full-grown animal[3] unless it is

(١١٦٤) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَذْبَحُوا

[1] This *Hadith* states that in case a sacrificial animal is slaughtered before performing the *'Eid* prayer, this slaughtering shall not earn the reward of a proper sacrifice, but the same will however amount to a general act of charity in terms of reward and virtue thus earned. This matter relates to the beginning of the prescribed time concerning the offering of the sacrifices. As to the end of such a prescribed duration, there is a difference of opinions among the scholars about it. Hâfiz Ibn Kathîr has discussed about it at length and has accorded preference to the ruling that the sacrifice period spans four days, the day of *'Eid* as well as three days of *Tashriq* in full. However, one must slaughter his sacrificial animal on the fourth day before *'Asr* without fail.

[2] The sick, lame, one-eyed and weak-structured animals are not permitted to be slaughtered in the sacrifice. The scholars observe that a similar ruling applied to the animals suffering from other bodily defects also. In case, an animal suffers from an imperfection of a far greater order than the ones mentioned above, the permissibility of slaughtering such an animal as a ritual sacrifice is totally ruled out. An animal which may be categorised as such is a completely blind animal or the one which is totally deprived of one of its legs.

[3] In Arabic, *Musinna* is an animal whose milk-teeth have fallen down and thus replaced by the regular teeth. Different species have different age groups for the emergence of the

إلاَّ مُسِنَّةً، إلاَّ أَنْ يَعْسُرَ عَلَيْكُمْ، فَتَذْبَحُوا جَذَعَةً مِنَ الضَّأْنِ». رَوَاهُ مُسْلِمٌ.

difficult for you, in which case you should sacrifice a (six to ten months old) sheep." [Reported by Muslim].

(١١٦٥) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَ رَسُولُ اللهِ ﷺ أَنْ نَسْتَشْرِفَ الْعَيْنَ وَالأُذُنَ، وَلاَ نُضَحِّيَ بِعَوْرَاءَ، وَلاَ مُقَابَلَةٍ، وَلاَ مُدَابَرَةٍ، وَلاَ خَرْقَاءَ، وَلاَ شَرْقَاءَ». أَخْرَجَهُ أَحْمَدُ وَالأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَابْنُ حِبَّانَ وَالحَاكِمُ.

**1165.** Narrated 'Ali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم enjoined us to pay great attention to the eye and the ear, and not sacrifice a one-eyed animal, or an animal with a slit which leaves something hanging at the front or back of the ear, or with a perforation in the ear, or an animal with broken front teeth.[1] [Ahmad and *Al-Arba'a* reported it; At-Tirmidhi, Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(١١٦٦) وَعَنْ عَلِيِّ بْنِ أَبِي طَالِبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: أَمَرَنِي رَسُولُ اللهِ ﷺ أَنْ أَقُومَ عَلَى بُدْنِهِ، وَأَنْ أَقْسِمَ لُحُومَهَا وَجُلُودَهَا وَجِلاَلَهَا عَلَى الْمَسَاكِينِ، وَلاَ أُعْطِي فِي جِزَارَتِهَا مِنْهَا شَيْئاً. مُتَّفَقٌ عَلَيْهِ.

**1166.** Narrated 'Ali bin Abû Tâlib رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم appointed me to be in charge of his sacrificial animals, and commanded me to distribute the whole of their meat, hides, and saddle clothes to the poor,[2] and not to give to the butcher anything out of them. [Agreed upon].

regular teeth. when the goat, sheep and ram are one year old and enter the second year of their age, they become *Musinna*. Cows and buffaloes gain this status while entering the third year of their age. A camel usually becomes *Musinna* after having entered the sixth year of its age.

[1] An animal whose ear is either cut or lacerated, or the one having a broken horn, is not permitted to be slaughtered as a sacrifice. The factual ruling covering an ear and a horn is, that if more than half of these bodily organs are cut off or lacerated, such animals are not to be sacrificed, but in case more than half of the said bodily organs are in a good shape, such animals are deemed fit for sacrifice. If an animal is naturally born without a horn, it will not be considered as a defective one, but if the horn gets broken after the birth of an animal, it is bound to be regarded as defective. If the remainder of the broken horn constitutes more than half of its complete entity, the animal shall be considered to be fit for sacrifice. But if the rest of the horn turns out to be less than half of it, the animal shall be regarded as unfit for the purpose.

[2] The hide, wool and the meat of an animal thus sacrificed should all be dispensed as charity. A person offering a sacrifice is allowed to eat from its meat, may put its hide to personal

**1167.** Narrated Jâbir bin 'Abdullâh رضي الله عنهما: In the year of *Al-Hudaibiya*, we sacrificed along with Allâh's Messenger صلى الله عليه وسلم: a camel against seven (people), and a cow against seven.[1] [Reported by Muslim].

(١١٦٧) وَعَنْ جَابِرِ بْنِ عَبْدِاللهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُما قَالَ: نَحَرْنَا مَعَ رَسُولِ اللهِ ﷺ عَامَ الْحُدَيْبِيَةِ الْبَدَنَةَ عَنْ سَبْعَةٍ، وَالْبَقَرَةَ عَنْ سَبْعَةٍ. رَوَاهُ مُسْلِمٌ.

## Chapter 3
## *AL- 'AQIQA*[2]

## ٣ - بَابُ الْعَقِيقَةِ

**1168.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم slaughtered a ram[3] for each of Al-Hasan and Al-Husain[4] (at their birth). [Reported by Abû Dâ'ud; Ibn Khuzaima, Ibn Al-Jârûd and 'Abdul-Haq graded it *Sahih* (sound), but Abû Hâtim

(١١٦٨) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ عَقَّ عَنِ الْحَسَنِ وَالْحُسَيْنِ كَبْشاً كَبْشاً. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ الْجَارُودِ وَعَبْدُ الْحَقِّ، لٰكِنْ رَجَّحَ أَبُو حَاتِمٍ إِرْسَالَهُ، وَأَخْرَجَ ابْنُ حِبَّانَ مِنْ حَدِيثِ

---

use, but is not allowed to sell it. The giving away of sacrificial meat to the butcher as the payment of his wages is forbidden. Some people do not pay wages to the butcher at all, a practice which is prohibited. In case the butcher does not take his wages willingly, then it is permissible.

[1] The sacrifice offered by slaughtering a single goat suffices the whole household even if it comprises twenty persons. The sacrifice of a single cow, buffalo or a camel may include seven households. Some of the traditions have it that one camel may even cover ten households. Whether the sacrifice is voluntary or obligatory, it makes no difference. It is not a must that the same should not be shared by less than seven persons. It is also right if the whole animal is sacrificed by one person only.

[2] *'Aqîqa* is a term used for an animal, to be slaughtered for the sake of a new-born baby whether male or female.

[3] The observance of *'Aqîqa* is *Sunna* (a supererogatory act). The next *Hadîth* states that the slaughtering of two goats should be made in case the baby happens to be a male child whereas this *Hadîth* states that the Prophet صلى الله عليه وسلم slaughtered one goat each for the two male children. This could be due to the non-availability of two goats each on the occasion of slaughtering at that particular time. Otherwise, the slaughtering of two goats each is a must according to *Sunna*. While conducting *'Aqîqa* ceremony, it makes no difference whether slaughtering animal happens to be male or female.

[4] Husain was the younger brother of Al-Hasan bin 'Ali and was younger than him by a year. He was one of the grandsons of the Prophet صلى الله عليه وسلم and famous for his righteousness. He was killed at Karbala in 'Irâq on the tenth of Muharram, 61H.

preponderated that it is *Mursal* (disreferred)]. Ibn Hibbân reported something similar to the aforesaid *Hadîth* from the narration of Anas.

أنسٍ نَحْوَهُ.

**1169.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم ordered them that two equal sheep are to be slaughtered for a boy, and one for a girl (at their birth). [At-Tirmidhi reported and graded it *Sahih* (sound)]. Ahmad and *Al-Arba'a* reported something similar to the aforesaid *Hadîth* on the authority of Umm Kurz Al-Ka'biya[1].

(١١٦٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ أَمَرَهُمْ أَنْ يُعَقَّ عَنِ الْغُلَامِ شَاتَانِ مُكَافِئَتَانِ، وَعَنِ الْجَارِيَةِ شَاةٌ. رَوَاهُ التِّرْمِذِيُّ، وَصَحَّحَهُ، وَأَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ عَنْ أُمِّ كُرْزٍ الْكَعْبِيَّةِ نَحْوَهُ.

**1170.** Narrated Samura رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Every boy is pawned[2] against his *'Aqiqa*, to be slaughtered on his behalf on the seventh day,[3] his head to be shaved and he be given a name," [Reported by Ahmad and *Al-Arba'a*, At-Tirmidhi graded it *Sahih* (sound).

(١١٧٠) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «كُلُّ غُلَامٍ مُرْتَهِنٌ بِعَقِيقَتِهِ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ، وَيُحْلَقُ وَيُسَمَّى». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

---

[1] She was a *Sahâbiya* from the tribe of Khuzâ'a and has narrated some *Ahadîth*.

[2] It means that similar to a property or a possession lying in a state of being pledged, they may not utilise their child to their advantage (i.e., such a child shall not be able to intercede with Allâh on behalf of his parents).

[3] It is all right if a cow, instead of a goat is slaughtered on the occasion of an *'Aqîqa* ceremony. The day a child is born, *Adhân* should be recited in his right ear and *Iqâma* in his left one. *'Aqîqa* should be conducted on the seventh day of his birth. On the same day, a child should be named and his head shaved off. Then his (shorn) hair should be weighed and an equal amount of silver (equal to the weight of the shorn hair) be given away as charity.

# 13. THE BOOK OF OATHS AND VOWS

# ١٣-كِتَابُ الأَيْمَانِ وَالنُّذُورِ

**1171.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم overtook 'Umar bin Al-Khattâb when he was with a party of riders of about ten and 'Umar was swearing by his father, so Allâh's Messenger صلى الله عليه وسلم called them and said, "Allâh forbids you to swear by your fathers,[1] and if anyone swears he must swear by Allâh, or keep silent." [Agreed upon].

(١١٧١) عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنْ رَسُولِ اللهِ ﷺ، أَنَّهُ أَدْرَكَ عُمَرَ بْنَ الْخَطَّابِ فِي رَكْبٍ، وَعُمَرُ يَحْلِفُ بِأَبِيهِ، فَنَادَاهُمْ رَسُولُ اللهِ ﷺ: «أَلَا! إِنَّ اللَّهَ يَنْهَاكُمْ أَنْ تَحْلِفُوا بِآبَائِكُمْ، فَمَنْ كَانَ حَالِفاً فَلْيَحْلِفْ بِاللهِ أَوْ لِيَصْمُتْ». مُتَّفَقٌ عَلَيْهِ.

A version *Marfû'* (traceable) by Abû Dâ'ud and An-Nasâ'i from Abû Huraira رضي الله عنه has: "Do not swear by your fathers, by your mothers, or by rivals[2] to Allâh; and swear not by Allâh except when you are speaking the truth."

وَفِي رِوَايَةٍ لِأَبِي دَاوُدَ وَالنَّسَائِيِّ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مَرْفُوعاً: «لَا تَحْلِفُوا بِآبَائِكُمْ، وَلَا بِأُمَّهَاتِكُمْ، وَلَا بِالأَنْدَادِ، وَلَا تَحْلِفُوا بِاللهِ إِلَّا وَأَنْتُمْ صَادِقُونَ».

**1172.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Your oath should be about something regarding which your adversary[3] will believe you." A

(١١٧٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَمِينُكَ عَلَى مَا يُصَدِّقُكَ بِهِ صَاحِبُكَ». وَفِي رِوَايَةٍ:

---

[1] It was a custom among the Arabs to swear by the names of their fathers and grandfathers. When 'Umar رضي الله عنه observed such an oath in the presence of the Prophet صلى الله عليه وسلم, he prohibited him to do so saying that one should not administer an oath in anyone's name except in the Name of Allâh. The expressions like, "I swear by you, I swear by your head, I swear by Husain or I swear by the Prophet صلى الله عليه وسلم" which are very much in vogue and are used by many people, are all improper and forbidden ones.

[2] i.e., the idols.

[3] This *Hadîth* may have two meanings. The first one is that you should administer an oath on such a matter or at such a time that even your opponent becomes obliged to concede to it. Another meaning is that whatever a defendant observes an oath about, on the demand of the claimant, the oath thus taken will be considered to be related to that specific matter only. It is not that the one administering such an oath seemingly does it to satisfy the claimant on the explicit matter as demanded of him whereas internally, he harbours

version has: "An oath is to be interpreted according to the intention of the one who takes it." [Muslim reported it and the aforesaid *Hadîth* too].

«الْيَمِينُ عَلَىٰ نِيَّةِ الْمُسْتَحْلِفِ». أَخْرَجَهُمَا مُسْلِمٌ.

**1173.** Narrated 'Abdur-Rahmân bin Samura[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "And when you swear an oath and consider something else to be better than it, make atonement[2] for your oath and do the thing that is better." [Agreed upon]. A version by Al-Bukhâri has: "Do the thing that is better and make atonement for your oath." And a version by Abû Dâ'ud has: "Make atonement for your oath, then do the thing that is better." [The chains of narrators of both *Ahadîth* are *Sahih* (sound)].

(١١٧٣) وَعَنْ عَبْدِ الرَّحْمٰنِ بْنِ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «وَإِذَا حَلَفْتَ عَلَى يَمِينٍ، فَرَأَيْتَ غَيْرَهَا خَيْراً مِنْهَا، فَكَفِّرْ عَنْ يَمِينِكَ وَائْتِ الَّذِي هُوَ خَيْرٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لِلْبُخَارِيِّ: «فَأْتِ الَّذِي هُوَ خَيْرٌ، وَكَفِّرْ عَنْ يَمِينِكَ». وَفِي رِوَايَةٍ لِأَبِي دَاوُدَ: «فَكَفِّرْ عَنْ يَمِينِكَ. ثُمَّ ائْتِ الَّذِي هُوَ خَيْرٌ». وَإِسْنَادُهَا صَحِيحٌ.

**1174.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone says, "if Allâh will" when swearing an oath, he is not held accountable[3] if he breaks it." [Ahmad and *Al-Arba'a* reported it, and Ibn Hibbân graded it *Sahih* (sound)].

(١١٧٤) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ، فَقَالَ: إِنْ شَاءَ اللَّهُ، فَلَا حِنْثَ عَلَيْهِ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

---

different intentions and does not genuinely mean it. However, if a claimant takes an oath by himself, he is free about his intentions.

[1] He was nicknamed Abû Sa'îd and was a *Sahâbi* and an 'Abshami. He became a Muslim after the *Fath* and conquered Sijistan and Kabûl. He settled at Basra and died there in 50 H. or after it.

[2] The expiation of an oath is: a) freeing a slave, or b) feeding ten poor people, or c) providing them clothes, or d) observing a three-days fasting.

[3] This *Hadîth* implies that restricting one's oath by subjecting it to the Will of Allâh does not make a person to be oath-bound provided that he merely pronounces *In shâ' Allâh* besides administering a certain oath.

(١١٧٥) وَعَنْهُ، قَالَ: كَانَتْ يَمِينُ النَّبِيِّ ﷺ: «لَا، وَمُقَلِّبِ الْقُلُوبِ». رَوَاهُ الْبُخَارِيُّ.

**1175.** Narrated (Ibn 'Umar) رضي الله عنهما: The Prophet's oath صلى الله عليه وسلم used to be:[1] "No, by Him Who changes the hearts." [Reported by Al-Bukhâri].

(١١٧٦) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: جَاءَ أَعْرَابِيٌّ إِلَى النَّبِيِّ ﷺ، فَقَالَ: يَا رَسُولَ اللهِ! مَا الْكَبَائِرُ؟ - فَذَكَرَ الْحَدِيثَ، وَفِيهِ - «الْيَمِينُ الْغَمُوسُ» - وَفِيهِ - قُلْتُ: وَمَا الْيَمِينُ الْغَمُوسُ؟ قَالَ: «الَّتِي يَقْتَطِعُ بِهَا مَالَ امْرِىءٍ مُسْلِمٍ، هُوَ فِيهَا كَاذِبٌ». أَخْرَجَهُ الْبُخَارِيُّ.

**1176.** Narrated 'Abdullâh bin 'Amr رضي الله عنهما: A desert Arab came to the Prophet صلى الله عليه وسلم and said, "O Allâh's Messenger, what are the most serious sins?" The narrator reported the *Hadîth* and it contains: "The false oath."[2] It contains also: I asked, "What is the false oath?" The Prophet صلى الله عليه وسلم replied, "It is that by which one possesses the property of a Muslim person he is lying about." [Al-Bukhari reported it].

(١١٧٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فِي قَوْلِهِ تَعَالَى ﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ﴾ قَالَتْ: هُوَ قَوْلُ الرَّجُلِ: لَا، وَاللهِ، وَبَلَى، وَاللهِ، أَخْرَجَهُ الْبُخَارِيُّ، وَأَوْرَدَهُ أَبُو دَاوُدَ مَرْفُوعاً.

**1177.** Narrated 'Aisha رضي الله عنها regarding the saying of Allah the Most High: "Allâh will not punish you for what is unintentional in your oaths".[3] It was sent down about such phrases as 'No, by Allâh' and 'Yes, by Allâh.'[4] [Al-Bukhâri reported it. Abû Dâ'ud reported it as *Marfû'*].

---

[1] This *Hadith* states that an oath-taking is not restricted to the Proper Name of Allâh Alone, but the same is allowed to be hold with Qualities and Attributes of Allâh whether those qualities are His Personal Ones like Knowledge and Power or are the verbal ones like Wrath and Hegemony.

[2] In Arabic, *Yamin Ghamus* (a false oath) is the one which is taken to impinge upon someone's wealth unlawfully. If the same does not involve wealth, it will be called *Yamîn Fâjir*. There is no atonement for *Yamîn Ghamus*. The only atonement for this kind of oath is that he should make a payment of the dues belonging to other people, become repentant and ask for Allâh's forgiveness.

[3] *Sûrat Al-Mâ'idah*, Verse 89.

[4] The words of oath which a person merely blurts out as an expletive or an idiosyncratic expression with a force of habit are neither considered to be an oath at all, nor they incur an atonement penalty. However, this is a bad habit one should be weaned away from.

**1178.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh has ninety-nine Names.[1] He who retains them in his memory[2] will enter Paradise." [Agreed upon]. At-Tirmidhi and Ibn Hibbân carried the actual Names, but investigations show that their mentioning this way is an insertion of some narrators.

(١١٧٨) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«إِنَّ لِلَّهِ تِسْعَةً وَتِسْعِينَ اسْماً مَنْ أَحْصَاهَا دَخَلَ الْجَنَّةَ»** مُتَّفَقٌ عَلَيْهِ. وَسَاقَ التِّرْمِذِيُّ وَابْنُ حِبَّانَ الْأَسْمَاءَ، وَالتَّحْقِيقُ أَنَّ سَرْدَهَا إِدْرَاجٌ مِنْ بَعْضِ الرُّوَاةِ.

**1179.** Narrated 'Usâma bin Zaid رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If one is done a kindness and expresses to his benefactor (by saying) 'May Allâh give you a good reward', he has fully expressed his appreciation."[3] [At-Tirmidhi reported it, and Ibn Hibbân graded it *Sahih* (sound)].

(١١٧٩) وَعَنْ أُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ صُنِعَ إِلَيْهِ مَعْرُوفٌ، فَقَالَ لِفَاعِلِهِ: جَزَاكَ اللَّهُ خَيْراً، فَقَدْ أَبْلَغَ فِي الثَّنَاءِ»**. أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1180.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم forbade making vows[4] and said, "It will not bring good, but it is only a means by

(١١٨٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ، أَنَّهُ نَهَى عَنِ النَّذْرِ، وَقَالَ: **«إِنَّهُ لَا يَأْتِي بِخَيْرٍ، وَإِنَّمَا**

---

[1] In addition to this, there are other names also which are attributed to Allâh. Some names are additional ones but these Names are far superior to the other additional Names of Allâh.

[2] May also mean mastering them, praising Allâh by them all and acting according to them.

[3] This means that a favour must be reciprocated by a favour only. If the same is not possible, then the beneficiary must at least pray for the prosperity of his benefactor and express his thanks to him.

[4] A forbidden vow is like affirming that: 'if my sick person recovers, I will give away such and such amount as charity.' This means that he is not offering a charity purely for Allâh's sake but in fact intends to trade it in for a reward. Exactly a similar situation applies to a miserly person who does not undertake to perform a good thing except in return for a recompense. One must also bear in mind that making a vow or an offering does not affect a change in one's destiny. This is with regard to a vow which is made in the Name of Allâh. What about a vow which is made on someone's grave by nursing a faith that 'the one who is lying in this grave will change my destiny or obviate my trouble or cause me a profit'? Will not this kind of vow be a forbidden one?

which something is extracted from the miserly." [Agreed upon].

يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»، مُتَّفَقٌ عَلَيْهِ.

**1181.** Narrated 'Uqba bin 'Aamir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The atonement for a vow is the same as for an oath."[1] [Reported by Muslim]. At-Tirmidhi added, "If he did not specify it." [And he graded it *Sahih* (sound)].

(١١٨١) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «كَفَّارَةُ النَّذْرِ كَفَّارَةُ يَمِينٍ». رَوَاهُ مُسْلِمٌ، وَزَادَ التِّرْمِذِيُّ فِيهِ: «إِذَا لَمْ يُسَمِّهِ». وَصَحَّحَهُ.

Abû Dâ'ud has from the narration of Ibn 'Abbâs (رضي الله عنهما) (who reported Allâh's Messenger صلى الله عليه وسلم as saying): "If anyone takes a vow but does not name it, its atonement is the same as that for an oath; if anyone takes a vow to do an act of disobedience, its atonement is the same as that for an oath, if anyone takes a vow which he is unable to fulfill, its atonement is the same as that for an oath." [Its chain of narrators is sound, but the *Hadîth* scholars preponderated that it is *Mawqûf*].

وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ مَرْفُوعاً: «مَنْ نَذَرَ نَذْراً لَمْ يُسَمِّهِ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْراً فِي مَعْصِيَةٍ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ، وَمَنْ نَذَرَ نَذْراً لَا يُطِيقُهُ فَكَفَّارَتُهُ كَفَّارَةُ يَمِينٍ». وَإِسْنَادُهُ صَحِيحٌ إِلَّا أَنَّ الْحُفَّاظَ رَجَّحُوا وَقْفَهُ.

'Aisha رضي الله عنها narrated: (Allâh's Messenger صلى الله عليه وسلم said) "If anyone vows to disobey Allâh, let him not disobey Him." [Reported by Al-Bukhâri].

وَلِلْبُخَارِيِّ مِنْ حَدِيثِ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا: «وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ».

---

[1] If the vow is an independent one (without specifying anything in particular) as one supposedly says, "I make such and such vow in the Name of Allâh", a vow of this kind, if unaccomplished, will involve an oath atonement penalty. In case a vow thus made is a specified one, and one has the capability to fulfill it, it is compulsory for him to do the needful. If the person does not have the capability to do it, he will incur the same atonement penalty as applicable to an oath-taking. If the same involves disobedience of Allâh or a sinful act, some scholars are of the opinion that it will not incur any atonement penalty, whereas according to some of them it will incur an oath atonement penalty.

'Imrân رضي الله عنه narrated: (Allâh's Messenger صلى الله عليه وسلم said) "A vow to do an act of disobedience must not be fulfilled." [Reported by Muslim].

وَلِمُسْلِمٍ مِنْ حَدِيثِ عِمْرَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «لَا وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةٍ».

**1182.** Narrated 'Uqaba bin 'Aamir رضي الله عنه: His sister took a vow to walk to Allâh's House for pilgrimage on barefoot,[1] and she ordered him to consult Allâh's Messenger صلى الله عليه وسلم, so he consulted him for a religious verdict and the Prophet صلى الله عليه وسلم replied, "Let her walk and ride." [Agreed upon; the version is of Muslim].

(١١٨٢) وَعَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: نَذَرَتْ أُخْتِي أَنْ تَمْشِيَ إِلَى بَيْتِ اللهِ حَافِيَةً، فَأَمَرَتْنِي أَنْ أَسْتَفْتِيَ لَهَا رَسُولَ اللهِ ﷺ فَاسْتَفْتَيْتُهُ. فَقَالَ النَّبِيُّ ﷺ: «لِتَمْشِ وَلْتَرْكَبْ» مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

Ahmad and *Al-Arba'a* have: He said, "Allâh the Most High will not do anything with the affliction your sister imposes on herself, command her to cover her head and to ride, and to fast three days."

وَلِأَحْمَدَ وَالْأَرْبَعَةِ، فَقَالَ: «إِنَّ اللَّهَ لَا يَصْنَعُ بِشَقَاءِ أُخْتِكَ شَيْئاً، مُرْهَا فَلْتَخْتَمِرْ، وَلْتَرْكَبْ، وَلْتَصُمْ ثَلَاثَةَ أَيَّامٍ».

**1183.** Narrated Ibn 'Abbâs رضي الله عنهما: Sa'd bin 'Ubâda[2] asked Allâh's Messenger صلى الله عليه وسلم for a ruling regarding a vow taken by his mother[3] who had died before

(١١٨٣) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: اسْتَفْتَى سَعْدُ بْنُ عُبَادَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ رَسُولَ اللهِ ﷺ فِي نَذْرٍ

[1] This *Hadîth* states that if someone makes a vow of making a barefooted journey all the way to the House of Allâh (the Ka'ba), it is not binding on him to do accordingly. It further informs us that a vow made in the disobedience of Allâh also incurs an atonement penalty.

[2] He was the leader of Al-Khazraj, the bearer of the flag of *Al-Ansâr* in all the battles and one of the group leaders at *Bai'at-ul-'Aqaba*. He was a noble and generous man and used to write in Arabic. He was also good at swimming and shooting, and was called Al-Kâmil (the perfect) because of those qualities. He used to give out a lot of *Sadaqa*. He failed to turn up when Abû Bakr رضي الله عنه was being sworn in for the caliphate and left Al-Madîna. It is said that the jinn killed him at Haurân within Damascus region in the year 14 H., 15 H or 16 H.

[3] This does not explain the nature of the vow thus made. Another *Hadîth* states that it involved the manumission of a slave. This explains that a deceased person's financial obligations incurred by invoking such vows must be compulsorily met by his successors.

fulfilling it, and he said, "Fulfill it on her behalf." [Agreed upon].

كَانَ عَلَىٰ أُمِّهِ، تُوُفِّيَتْ قَبْلَ أَنْ تَقْضِيَهُ، فَقَالَ: «اقْضِهِ عَنْهَا». مُتَّفَقٌ عَلَيْهِ.

**1184.** Narrated Thâbit bin Ad-Dahhâk رضي الله عنه said that in the time of Allâh's Messenger صلى الله عليه وسلم a man took a vow to slaughter camels at Bawâna and came to Allâh's Messenger صلى الله عليه وسلم and asked him. Allâh' Messenger صلى الله عليه وسلم asked, "Did the place contain any idol worshiped[1] (in the *Jâhiliya* era)?," He said, "No." He asked "Was any *Jâhiliya* festival observed there?" He said, "No." He then said (to the man), "Fulfill your vow, for there is no fulfillment of a vow to do an act of disobedience to Allâh, neither to break the ties of relationship, nor to do something over which a human being has no control." [Reported by Abû Dâ'ud and At-Tabarâni, the version is of the latter; it has a sound chain of narrators]. It has an authority from Kardam's[2] *Hadîth* by Ahmad.

(١١٨٤) وَعَنْ ثَابِتِ بْنِ الضَّحَّاكِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: نَذَرَ رَجُلٌ عَلَىٰ عَهْدِ رَسُولِ اللَّهِ ﷺ أَنْ يَنْحَرَ إِبِلاً بِبُوَانَةَ، فَأَتَى رَسُولَ اللَّهِ ﷺ، فَسَأَلَهُ، فَقَالَ: «**هَلْ كَانَ فِيهَا وَثَنٌ يُعْبَدُ**»؟ قَالَ: لاَ. قَالَ: «**فَهَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ**»؟ فَقَالَ: لاَ. فَقَالَ: «**أَوْفِ بِنَذْرِكَ، فَإِنَّهُ لاَ وَفَاءَ لِنَذْرٍ فِي مَعْصِيَةِ اللَّهِ، وَلاَ فِي قَطِيعَةِ رَحِمٍ، وَلاَ فِيمَا لاَ يَمْلِكُ ابْنُ آدَمَ**». رَوَاهُ أَبُو دَاوُدَ وَالطَّبَرَانِيُّ، وَاللَّفْظُ لَهُ، وَهُوَ صَحِيحُ الْإِسْنَادِ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ كَرْدَمٍ عِنْدَ أَحْمَدَ.

**1185.** Narrated Jâbir (bin 'Abdullâh) رضي الله عنهما : A man said on the day of the *Fath*, "O Messenger of Allâh, I have vowed that if Allâh opens Makka at your hands I shall pray in Jerusalem." He replied, "Pray

(١١٨٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً قَالَ يَوْمَ الْفَتْحِ: يَا رَسُولَ اللَّهِ! إِنِّي نَذَرْتُ - إِنْ فَتَحَ اللَّهُ عَلَيْكَ مَكَّةَ - أَنْ أُصَلِّيَ فِي بَيْتِ الْمَقْدِسِ. فَقَالَ: «**صَلِّ هَاهُنَا.**

[1] This *Hadîth* informs us that if someone makes a certain vow in a certain land, where no ritual ceremonies of the polytheists are performed or none of their festivals and fairs are observed, it is permissible for the person to accomplish his vow thus made, but he is not required to fulfill it necessarily.

[2] Kardam bin Sufyân Ath-Thaqafi was a *Sahâbi* and his daughter Maimuna who was a *Sahâbiya* and 'Abdullâh bin 'Amr bin Al-'Aas narrated the *Hadîth* from him.

here."[1] He asked him again and he replied, "Pray here." He asked him again and he replied, "It's up to you, then." [Reported by Ahmad and Abû Dâ'ud. Al-Hâkim graded it *Sahih* (sound)].

فَسَأَلَهُ، فَقَالَ: صَلِّ هاهنا، فَسَأَلَهُ فَقَالَ شَأْنَكَ إِذَنْ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

**1186.** Narrated Abû Sa'îd Al-Khudri رضی الله عنه: The Prophet صلى الله عليه وسلم said, "No (religious) journey is to be undertaken except for prayer in the three mosques: The Sacred Mosque (Makka), the Aqsa Mosque (Jerusalem), and this Mosque of mine (Al-Madîna)." [Agreed upon; the version is of Al-Bukhâri].

(١١٨٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**لاَ تُشَدُّ الرِّحَالُ إلاَّ إِلَى ثَلاَثَةِ مَسَاجِدَ: مَسْجِدِ الْحَرَامِ، وَمسْجِدِ الأَقْصَى، وَمَسْجِدِي هَذَا**». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِلْبُخَارِيِّ.

**1187.** Narrated 'Umar رضی الله عنه : He consulted Allâh's Messenger (صلى الله عليه وسلم) about a vow he had made in the *Jahiliya* times[2] to spend a night in devotion in the Sacred Mosque, he then said, "Fulfill your vow." [Agreed upon]. Al-Bukhâri added in another version: "He spent a night in devotion in the Sacred Mosque."

(١١٨٧) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قُلْتُ: يَا رَسُولَ اللهِ! إِنِّي نَذَرْتُ فِي الْجَاهِلِيَّةِ أَنْ أَعْتَكِفَ لَيْلَةً فِي الْمَسْجِدِ الْحَرَامِ. قَالَ: **أَوْفِ بِنَذْرِكَ**. مُتَّفَقٌ عَلَيْهِ، وَزَادَ الْبُخَارِيُّ فِي رِوَايَةٍ: فَاعْتَكَفَ لَيْلَةً.

---

[1] This *Hadith* alludes to one of the cardinal principles to the effect that if a person makes a vow to perform a prayer at a certain house of worship, his vow may be fulfilled in case he performs his prayer in a mosque which is either equal in status with that of the vowed one, or is of a greater status. But if he prays in a mosque of a minor status, his vow shall not be accomplished. However, his offering a prayer in the Mosque of the Prophet صلى الله عليه وسلم or in Al-Masjid-al-Harâm will fulfill his vow. A vow undertaken to perform a prayer in Al-Masjid-al-Harâm will not be fulfilled by praying in either the Mosque of the Prophet صلى الله عليه وسلم or the Mosque of Bait-ul-Maqdis. A person undertaking this vow must perform his prayer necessarily in Al-Masjid-al-Harâm to fulfill his vow.

[2] The people who uphold the view that a vow made by a non-believer has no bearing or is not a lawful one, they may refer to this *Hadîth* as an evidence.

# 14. THE BOOK OF JUDGEMENT

# ١٤ - كِتَابُ الْقَضَاءِ

**1188.** Narrated Buraida رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said: "*Al-Qudât* (judges) are of three types, two[1] of whom will go to Hell and one to Paradise. The one who will go to Paradise is a man who knows what is right and gives judgement accordingly; but a man who knows what is right and does not give judgement accordingly and acts unjustly in his judgement will go to Hell, and a man who does not know what is right and judges people with ignorance will go to Hell." [Reported by *Al-Arba'a*, and Al-Hâkim graded it *Sahih* (sound)].

(١١٨٨) عَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْقُضَاةُ ثَلَاثَةٌ، اثْنَانِ فِي النَّارِ، وَوَاحِدٌ فِي الْجَنَّةِ: رَجُلٌ عَرَفَ الْحَقَّ فَقَضَى بِهِ فَهُوَ فِي الْجَنَّةِ. وَرَجُلٌ عَرَفَ الْحَقَّ فَلَمْ يَقْضِ بِهِ، وَجَارَ فِي الْحُكْمِ فَهُوَ فِي النَّارِ. وَرَجُلٌ لَمْ يَعْرِفِ الْحَقَّ، فَقَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ**». رَوَاهُ الْأَرْبَعَةُ، وَصَحَّحَهُ الْحَاكِمُ.

**1189.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who has been appointed a *Qâdi* has been slaughtered without a knife."[2] [Reported by Ahmad and *Al-Arba'a*; Ibn Khuzaima and Ibn Hibbân graded it *Sahih* (sound)].

(١١٨٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ وَلِيَ الْقَضَاءَ فَقَدْ ذُبِحَ بِغَيْرِ سِكِّينٍ**». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ ابْنُ خُزَيْمَةَ وَابْنُ حِبَّانَ.

[1] This *Hadith* states two points. First, a person who does not know the truth and another person, who does not act upon the truth despite being aware of it, such persons shall equally be condemned to Hell-fire. It means that the knowledge without action has no value. Secondly, the possibility of committing a judgemental error exists for anyone who exercises a judgement. Had it not been so, people would not have been divided as such and making of such fine distinctions among them would have been out of place.

[2] By reading this *Hadith*, one may gather an idea about the extent of severity, the court magistrates are subjected to. If the magistrate is a pious person, he has to put in a lot of efforts in searching out correct and just judgement. Despite all this, he will be subjected to an ordeal of an extremely accountability in the Hereafter. Another *Hadith* states that a righteous magistrate will be called for on the Day of Judgement and will be subjected to such an intense and severe interrogation that he will say, "Would that I never have exercised a judgement even between two persons." In case a magistrate turns out to be an oppressor and a bribe-taker, he will dwell in the Hell-fire.

**1190.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "You will be eager for the office of governorship, but it will become a cause of regret on the Day of Resurrection. It is a good suckler but an evil weaner[1]." [Reported by Al-Bukhâri].

(١١٩٠) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ سَتَحْرِصُونَ عَلَى الْإِمَارَةِ، وَسَتَكُونُ نَدَامَةً يَوْمَ الْقِيَامَةِ، فَنِعْمَتِ الْمُرْضِعَةُ، وَبِئْسَتِ الْفَاطِمَةُ». رَوَاهُ الْبُخَارِيُّ.

**1191.** Narrated 'Amr bin Al-'Aas رضي الله عنه: He heard Allâh's Messenger صلى الله عليه وسلم say, "When a judge gives a ruling having tried his best to decide correctly and is right, he will have a double reward; and when he gives a ruling having tried his best to decide correctly and is wrong, he will have a single reward." [Agreed upon].

(١١٩١) وَعَنْ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ: «إِذَا حَكَمَ الْحَاكِمُ فَاجْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَجْرَانِ، وإِذَا حَكَمَ فَاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ». مُتَّفَقٌ عَلَيْهِ.

**1192.** Narrated Abû Bakra رضي الله عنه: He heard Allâh's Messenger صلى الله عليه وسلم say, "No judge must give judgement between two people when he is angry."[2] [Agreed upon].

(١١٩٢) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «لاَ يَحْكُمْ أَحَدٌ بَيْنَ اثْنَيْنِ وَهُوَ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ.

**1193.** Narrated 'Ali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When two men bring a case before you, do not decide in favour of the first till

(١١٩٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا تَقَاضَى إِلَيْكَ رَجُلاَنِ فَلاَ تَقْضِ لِلأَوَّلِ حَتَّى تَسْمَعَ

---

[1] Meaning it is pleasant to undertake it in this world, but causes grief in the Hereafter if one fails to live up to its responsibilities.

[2] A judge should not pronounce his verdict in the condition of being overpowered and driven by anger, because in case he does so, his judgement may tilt to what is unjust. This action has been graded as نهي تحريمي (strictly forbidden) in *Shari'a* terminology. In case, a judge does happen to pass a verdict while seething with anger, whether or not such a verdict be considered as valid and effective is also a moot point; some scholars regard it to be valid, whereas the other ones do not subscribe to this idea. In the light of cognition and common sense also, such a verdict does appear to be insubstantial.

you hear what the other has to say,[1] then you will know how to judge." 'Ali رضي الله عنه said, "Thereafter, I kept judging in accordance with that." [Reported by Ahmad, Abû Dâ'ud and At-Tirmidhi; the latter graded it *Hasan*; Ibn Al-Madini graded it strong, and Ibn Hibbân graded it *Sahih* (sound). It has an authority by Al-Hâkim from the *Hadîth* of Ibn 'Abbâs].

كَلَامَ الْآخَرِ، فَسَوْفَ تَدْرِي كَيْفَ تَقْضِي». قَالَ عَلِيٌّ: فَمَا زِلْتُ قَاضِياً بَعْدُ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ وَقَوَّاهُ ابْنُ الْمَدِينِيِّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ عِنْدَ الْحَاكِمِ مِنْ حَدِيثِ ابْنِ عَبَّاسٍ.

**1194.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "You bring your disputes to me, and perhaps some of you are more eloquent in their plea than others, so that I give judgement on their behalf according to what I hear from them. Therefore, whatever I rule for anyone which by right belongs to his brother, I am only granting him a portion of Hell."[2] [Agreed upon].

(١١٩٤) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ، وَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ أَلْحَنَ بِحُجَّتِهِ مِنْ بَعْضٍ، فَأَقْضِيَ لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ، فَمَنْ قَطَعْتُ لَهُ مِنْ حَقِّ أَخِيهِ شَيْئاً فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ». مُتَّفَقٌ عَلَيْهِ.

**1195.** Narrated Jâbir رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "How could an *Ummah* (people) be sacred (cleansed of its sins) where the right of its weak is not taken from its

(١١٩٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «كَيْفَ تُقَدَّسُ أُمَّةٌ لَا يُؤْخَذُ مِنْ شَدِيدِهِمْ

[1] This *Hadith* states that passing a judgement merely by listening to the statement of a claimant is wrong unless a defendant is given an opportunity to clarify his position also. In case a defendant observes silence, refuses to answer an interrogation or does not care to attend the court on the specified dates of hearing, then a judge has a right to pronounce the judgement.

[2] This *Hadîth* apprises us of a couple of very important points. The first one is that if a judge passes a verdict contrary to what the mores and norms of propriety and justice call for, then such an unjust verdict shall not be considered as valid by Allâh. A final verdict shall be pronounced about it on the Day of Judgement. Secondly, the Prophet صلى الله عليه وسلم did not possess knowledge of the unseen. Had it been so, he would have refrained from making such a statement.

strong."[1] [Reported by Ibn Hibbân. It has an authority from Buraida's *Hadîth*, by Al-Bazzâr, and another authority from Abû Sa'îd's *Hadîth*, by Ibn Mâjah].

لِضَعِيفِهِمْ». رَوَاهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ مِنْ حَدِيثِ بُرَيْدَةَ عِنْدَ الْبَزَّارِ. وَآخَرُ مِنْ حَدِيثِ أَبِي سَعِيدٍ عِنْدَ ابْنِ مَاجَهْ.

**1196.** Narrated 'Aisha رضى الله عنها: I heard Allâh's Messenger صلى الله عليه وسلم saying, "The Day of Resurrection (Judgement) will come to the just *Qâdi* and he will wish he had never given judgement even between two men throughout his life, because of the hard account he will face." [Reported by Ibn Hibbân, and reported by Al-Baihaqi with the version: " ... concerning a date fruit."]

(١١٩٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: **«يُدْعَى بِالْقَاضِي الْعَادِلِ يَوْمَ الْقِيَامَةِ، فَيَلْقَى مِنْ شِدَّةِ الْحِسَابِ مَا يَتَمَنَّى أَنَّهُ لَمْ يَقْضِ بَيْنَ اثْنَيْنِ فِي عُمُرِهِ»**. رَوَاهُ ابْنُ حِبَّانَ، وَأَخْرَجَهُ الْبَيْهَقِيُّ، وَلَفْظُهُ **«فِي تَمْرَةٍ»**.

**1197.** Narrated Abû Bakra رضى الله عنه: The Prophet صلى الله عليه وسلم said, "A people who make a woman their ruler[2] will never prosper." [Reported by Al-Bukhâri].

(١١٩٧) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: **«لَنْ يُفْلِحَ قَوْمٌ وَلَّوْا أَمْرَهُمْ امْرَأَةً»**. رَوَاهُ الْبُخَارِيُّ.

**1198.** Narrated Abû Maryam Al-Azdi[3] رضى الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone is put by Allâh in a position of authority over any

(١١٩٨) وَعَنْ أَبِي مَرْيَمَ الْأَزْدِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: **«مَنْ وَلَّاهُ اللَّهُ شَيْئاً مِنْ أَمْرِ الْمُسْلِمِينَ، فَاحْتَجَبَ عَنْ**

---

[1] This *Hadîth* implies that redressing the rights of the weaker sections against the encroachment of the powerful (i.e., restoration of the rights of the poor which have been impinged upon by the rich) is obligatory. If the oppression and injustice become rampant among the rulers of a nation, then that entire nation is considered to be a nation of criminals.

[2] The Prophet صلى الله عليه وسلم uttered these words at the time when the Iranians enthroned Khosru's (Kisra's) daughter and made her their empress. Whether or not a woman may be assigned the duties of a judge in a court of law to exercise judgements in the matters related to public affairs, is a moot point but a woman, by a common consensus, may not be appointed a judge to a criminal court where the murder and other crime related trials are conducted.

[3] This *Sahâbi,* also called Al-Asadi, was a Hadrami. He paid a visit to Mu'âwiya in Shâm and told him this *Hadîth*.

matter concerning the Muslims and turns away from dealing with their needs and poverty, Allâh will turn away from dealing with his needs."[1] [Abû Dâ'ud and At-Tirmidhi reported it].

حَاجَتِهِمْ وَفَقِيرِهِمِ احْتَجَبَ اللَّهُ دُونَ حَاجَتِهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ.

**1199.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم cursed[2] the one who bribes and the one who takes bribes to pass judgements. [Reported by Ahmad and *Al-Arba'a*, At-Tirmidhi graded it *Hasan*; Ibn Hibbân graded it *Sahih* (sound). It has an authority from 'Abdullâh bin 'Amr's *Hadîth* reported by *Al-Arba'a* except An-Nasâ'i].

(١١٩٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَعَنَ رَسُولُ اللهِ ﷺ الرَّاشِيَ وَالْمُرْتَشِيَ فِي الْحُكْمِ. رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَحَسَّنَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَلَهُ شَاهِدٌ مِنْ حَدِيثِ عَبْدِاللهِ بْنِ عَمْرٍو عِنْدَ الأَرْبَعَةِ إِلاَّ النَّسَائِيَّ.

**1200.** Narrated 'Abdullâh bin Az-Zubair رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم ruled that the two adversaries should sit[3] in front of the judge. [Reported by Abû Dâ'ud; Al-Hâkim graded it *Sahih* (sound)].

(١٢٠٠) وَعَنْ عَبْدِاللهِ بْنِ الزُّبَيْرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَضَى رَسُولُ اللهِ ﷺ أَنَّ الْخَصْمَيْنِ يَقْعُدَانِ بَيْنَ يَدَيِ الْحَاكِمِ. رَوَاهُ أَبُو دَاوُدَ، وَصَحَّحَهُ الْحَاكِمُ.

---

[1] This *Hadith* implies that it is prohibited for a ruler to appoint a sentinel on the point of entry and similarly it is also forbidden to shut the gate of a court so that everybody, whether rich or poor may enter the court without a let or hindrance.

[2] Both the bribe givers and bribe takers are accursed ones. Now, there are two applied situations. The first one involves a person who pays bribe in order to acquire what lawfully belongs to him. If such a situation is involved, the bribe thus given becomes forbidden for the one accepting it and not for the one giving it. The second situation involves a person who pays bribe in order to acquire more than what lawfully belongs to him and thereby encroaching upon the rights of another person. A bribe thus given will be regarded as forbidden on either of the two persons equally, the giver and the taker.

[3] This inculcates two things. The first thing is that both the plaintiff and defendant be treated on an equal footing, none of them should be accorded a preferential treatment. Secondly, both the plaintiff and defendant should take their statements before the magistrate in a sitting posture and not the standing one.

## Chapter 1
## THE TESTIMONIES

## ١ - بَابُ الشَّهَادَاتِ

**1201.** Narrated Zaid bin Khâlid Al-Juhani رضي الله عنه: The Prophet صلى الله عليه وسلم said, "Shall I not tell you the best witness? He is the one who produces his testimony before he is asked[1] for it." [Reported by Muslim].

(١٢٠١) عَنْ زَيْدِ بْنِ خَالِدٍ الْجُهَنِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «أَلاَ أُخْبِرُكُمْ بِخَيْرِ الشُّهَدَاءِ؟ هُوَ الَّذِي يَأْتِي بِشَهَادَتِهِ قَبْلَ أَنْ يُسْأَلَهَا». رَوَاهُ مُسْلِمٌ.

**1202.** Narrated 'Imrân bin Husain رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The best of my people are my generation, then their immediate followers, then their immediate followers. After them there will be people who will give (false) testimony without being asked,[2] who will be treacherous and are not to be trusted, who will make vows which they do not fulfill, among whom obesity will appear." [Agreed upon].

(١٢٠٢) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ خَيْرَكُمْ قَرْنِي، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ يَكُونُ قَوْمٌ يَشْهَدُونَ، وَلاَ يُسْتَشْهَدُونَ، وَيَخُونُونَ وَلاَ يُؤْتَمَنُونَ، وَيَنْذِرُونَ وَلاَ يُوفُونَ، وَيَظْهَرُ فِيهِمُ السِّمَنُ». مُتَّفَقٌ عَلَيْهِ.

**1203.** Narrated 'Abdullâh bin 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The testimony of a deceitful man or a woman, or of one who harbours grudge against his brother, or of one who is dependent on a family (to testify) for members of the family is not allowable."[3] [Reported by Ahmad and Abû Dâ'ud].

(١٢٠٣) وَعَنْ عَبْدِاللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لاَ تَجُوزُ شَهَادَةُ خَائِنٍ وَلاَ خَائِنَةٍ، وَلاَ ذِي غِمْرٍ عَلَى أَخِيهِ، وَلاَ تَجُوزُ شَهَادَةُ الْقَانِعِ لأَهْلِ الْبَيْتِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ.

[1] These are the ones who testify promptly for the sake of Allâh alone so that justice could be done. They do not wait until such a time that the oppressed should approach them and implore them to testify for him.

[2] These are the kind of people who testify on their own in order that their reliability be established by any means, fair or unfair. These are in fact driven by an ulterior motive to establish a misleading and fictitious groundwork for the trial so that it may progress on the basis of misrepresentation and distortion of facts. These are witnesses of the worst kind.

[3] A testimony given by an unfaithful person, an enemy or the one testifying in favour of his relative, is not acceptable as the same involves the possibility that such persons, more often

**1204.** Narrated Abû Huraira رضي الله عنه: He heard Allâh's Messenger صلى الله عليه وسلم say, "The testimony of a bedouin against a towner is not allowable."[1] [Reported by Abû Dâ'ud and Ibn Mâjah].

(١٢٠٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللهِ ﷺ يَقُولُ: «لاَ تَجُوزُ شَهَادَةُ بَدَوِيٍّ عَلَى صَاحِبِ قَرْيَةٍ». رَوَاهُ أَبُو دَاوُدَ وَابْنُ مَاجَهْ.

**1205.** Narrated 'Umar bin Al-Khattâb رضي الله عنه: He addressed the people and said, "People were sometimes judged by the revealing of a Divine Inspiration during the lifetime of Allâh's Messenger صلى الله عليه وسلم, but now there is no longer any more (new revelation). Now we will judge you by the deeds you practise publicly."[2] [Reported by Al-Bukhâri].

(١٢٠٥) وَعَنْ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ خَطَبَ فَقَالَ: إِنَّ أُنَاساً كَانُوا يُؤْخَذُونَ بِالْوَحْيِ فِي عَهْدِ رَسُولِ اللهِ ﷺ، وَإِنَّ الْوَحْيَ قَدِ انْقَطَعَ، وَإِنَّمَا نَأْخُذُكُمْ الآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ. رَوَاهُ الْبُخَارِيُّ.

**1206.** Narrated Abû Bakra رضي الله عنه: The Prophet صلى الله عليه وسلم considered giving a false testimony among the most serious of major sins. [Al-Bukhâri and Muslim reported it in a long *Hadîth*].

(١٢٠٦) وَعَنْ أَبِي بَكْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، أَنَّهُ عَدَّ شَهَادَةَ الزُّورِ فِي أَكْبَرِ الْكَبَائِرِ. مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

---

than not, may go to brash extremes while testifying (due to the built-in prejudices). Similarly, a person may not testify for someone who feeds him since there is a possibility that such a person may show partiality favouring his benefactor. A witness must be a just person having no ties with either of the two parties.

[1] The only reason for this restriction is that since the nomads have no idea about the prevailing conditions and circumstances of the city and village dwellers, they are prohibited to testify for them. Since the people living in a city are better informed about their fellow city inhabitants, their testimonies in regard to a trial concerning a fellow city-dweller, are acceptable. If a nomad is fully knowledgeable about the relevant circumstances, his testimony shall also be acceptable, provided that he is a just person.

[2] This *Hadîth* states that the judgements shall be pronounced according to what seems to be justified and appropriate (apparently). In case someone commits perjury and makes a statement contrary to what the facts are, the sin thus incurred shall be solely credited to the perjurer. The court judge is hereby absolved of any sin whatsoever and bears no accountability in this matter.

**1207.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said to a man, "Do you see the sun?" He replied, "Yes." He said, "Do witness in a case as clear as the sun, or leave[1] it." [Ibn 'Adi reported it with a weak chain of narrators, and Al-Hâkim graded it *Sahih* (sound), but he made a mistake].

(١٢٠٧) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ: «تَرَى الشَّمْسَ؟» قَالَ: نَعَمْ. قَالَ: «عَلَى مِثْلِهَا فَاشْهَدْ، أَوْ دَعْ». أَخْرَجَهُ ابْنُ عَدِيٍّ بِإِسْنَادٍ ضَعِيفٍ، وَصَحَّحَهُ الْحَاكِمُ فَأَخْطَأَ.

**1208.** Narrated (Ibn 'Abbâs) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم ruled on the basis of an oath and a single witness.[2] [Muslim, Abû Dâ'ud and An-Nasâ'i reported it, the latter said that it has a good chain of narrators].

(١٢٠٨) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَضَى بِيَمِينٍ وَشَاهِدٍ. أَخْرَجَهُ مُسْلِمٌ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَقَالَ: إِسْنَادُهُ جَيِّدٌ.

**1209.** Narrated Abû Huraira رضي الله عنه: Something similar to the aforesaid *Hadîth*. [Abû Dâ'ud and At-Tirmidhi reported it; Ibn Hibbân graded it *Sahih* (sound)].

(١٢٠٩) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ مِثْلَهُ. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

## Chapter 2
## *DA'WA* AND *BAIYINAT*[3]
## (CLAIMS AND EVIDENCES)

## ٢ - بَابُ الدَّعْوَى وَالْبَيِّنَاتِ

**1210.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If people were given what they asked

(١٢١٠) عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «لَوْ يُعْطَى

[1] It means that a person should testify about a certain case at such a time when he is absolutely certain about the facts concerning it. One should not testify merely by running a conjecture, or upon hearing a rumour which may be of doubtful accuracy.

[2] It is clarified by this *Hadîth* that if two witnesses are not available then one witness will be equal to the oath of the claimant; and if no witness is available then the oath of the claimant has no validity, in this case the oath will be on the defendant.

[3] The definition of *Da'wa* (claim) is to lay one's claim on something by asserting: "I have a right on such and such thing", regardless whether the claim thus laid is true or false.

*Baiyinât* implies a clear evidence since it establishes and proves the eligibility of the lawful owner to the ownership of a certain thing.

for when they brought a case, some would claim the lives and properties of others;[1] but the oath must be taken by the defendant." [Agreed upon].

النَّاسُ بِدَعْوَاهُمْ لَادَّعَى نَاسٌ دِمَاءَ رِجَالٍ وَأَمْوَالَهُمْ، وَلَكِنَّ الْيَمِينَ عَلَى الْمُدَّعَى عَلَيْهِ». مُتَّفَقٌ عَلَيْهِ.

Al-Baihaqi's version with a good chain of narrators has: "But the proof lies on the plaintiff and the oath must be taken by him who rejects the claim."

وَلِلْبَيْهَقِيِّ بِإِسْنَادٍ صَحِيحٍ: «الْبَيِّنَةُ عَلَى الْمُدَّعِي، وَالْيَمِينُ عَلَى مَنْ أَنْكَرَ».

**1211.** Narrated Abû Huraira رضي الله عنه: The Prophet صلى الله عليه وسلم suggested to some people that they should swear an oath and when they hastened to do so he ordered that lots should be cast[2] among them concerning the oath as to who should swear it. [Reported by Al-Bukhâri].

(١٢١١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ عَرَضَ عَلَى قَوْمٍ الْيَمِينَ فَأَسْرَعُوا، فَأَمَرَ أَنْ يُسْهَمَ بَيْنَهُمْ فِي الْيَمِينِ، أَيُّهُمْ يَحْلِفُ. رَوَاهُ الْبُخَارِيُّ.

**1212.** Narrated Abû Umâma Al-Harithi[3] رضي الله عنه: Allâh's

(١٢١٢) وَعَنْ أَبِي أُمَامَةَ الْحَارِثِيِّ

[1] One of the major principles of jurisdiction is that a claimant must prove his claim by providing evidences producing witnesses, or else, the defendant must verify and conform to his statement. If this is unlikely, the defendant should bring forth evidences refuting the claim. If the same does not work out either, the defendant must take an oath to this end. The suspected murder trial is the only trial where the defendant (if the situation warrants), will have to produce 50 different persons administering an oath as witnesses. If the defendant fails to do so, or the claimant does not believe the oaths thus undertaken to be creditable, he can administer a similar oath and claim the blood money.

[2] If the nature of the claim happens to be such a meddling one that both the parties seem to be the claimants and defendants at the same time, then both the parties have a right to undertake an oath. In case, one of the parties refuses to undertake an oath, the opponent may do the same and take the money. If both the parties are prepared to undertake an oath, their eligibility will be decided by casting a lot. Whosoever's name appears out of this process, shall undertake an oath and take away the money. This applies to conditions where none of the parties have proof substantiating their claim. If one of them does have an evidence, then the right to administer such an oath belongs to him alone.

[3] He is Abû Umâma Iyâs bin Tha'laba Al-Ansâri Al-Hârithi Al-Khazraji. It was also said that he was a Balawi and an ally of *Al-Ansâr*. He was one of the old *Sahâba*, but did not attend Badr, because he was nursing his mother.

Messenger صلى الله عليه وسلم said, "If anyone reduces by his oath what rightly belongs to a Muslim, Allâh has made Hell compulsory for him and will deprive him of Paradise." A man asked, "O Allâh's Messenger, even though it is something small?" And he replied, "Even if it were a stick[1] from an *Arâk* tree." [Reported by Muslim].

رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنِ اقْتَطَعَ حَقَّ امْرِىءٍ مُسْلِمٍ بِيَمِينِهِ فَقَدْ أَوْجَبَ اللَّهُ لَهُ النَّارَ، وَحَرَّمَ عَلَيْهِ الْجَنَّةَ». فَقَالَ لَهُ رَجُلٌ: وَإِنْ كَانَ شَيْئاً يَسِيراً يَا رَسُولَ اللهِ؟ قَالَ: «وَإِنْ كَانَ قَضِيباً مِنْ أَرَاكٍ». رَوَاهُ مُسْلِمٌ.

**1213.** Narrated Al-Ash'ath bin Qais[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone swears a firm oath, and appropriates by it property belonging to a Muslim, Allâh will be angry with him when he meets Him (on the Day of Resurrection)". [Agreed upon].

(١٢١٣) وَعَنِ الْأَشْعَثِ بْنِ قَيْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ، يَقْتَطِعُ بِهَا مَالَ امْرِىءٍ مُسْلِمٍ، هُوَ فِيهَا فَاجِرٌ، لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ». مُتَّفَقٌ عَلَيْهِ.

**1214.** Narrated Abû Mûsa رضي الله عنه: Two men had a dispute over an animal, but no one of them had a proof. So Allâh's Messenger (صلى الله عليه وسلم) gave a ruling that it be divided in halves between them.[3] [Reported by

(١٢١٤) وَعَنْ أَبِي مُوسَى رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي دَابَّةٍ، وَلَيْسَ لِوَاحِدٍ مِنْهُمَا بَيِّنَةٌ، فَقَضَى بِهَا رَسُولُ اللهِ بَيْنَهُمَا نِصْفَيْنِ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ

[1] This *Hadîth* clearly indicates that if a person, by administering a false oath, takes away even a minor thing belonging to someone else, or deprives someone of his right by doing so, shall be forbidden to enter Paradise.

[2] Ash'ath bin Qais bin Ma'dikarib Al-Kindi, Abû Muhammad was a *Sahâbi* who settled at Kufa. He lost both eyes at the battle of Yarmûk. He was generous, kind and once made an oath and atoned it by fifteen thousand. He was appointed as the governor of Azerbaijân and witnessed Siffin with 'Ali. He died forty days after the death of 'Ali in 40 H. at the age of 63 years.

[3] This is a situation where the two parties claim the ownership of the same thing. Neither are they prepared to undertake an oath, nor they have a witness to substantiate their claim, which means that they are on a par in terms of their status. Should such a situation arise, the disputed thing shall be awarded to the party in whose possession that thing happens to be. In case neither of them possess it, or the same lies in an equal possession of both the parties, the same shall be divided into two equal halves and given away accordingly to both of them.

Ahmad, Abû Dâ'ud and An-Nasâ'i; the version is of the latter who said that it has a good chain of narrators].

وَالنَّسَائِيُّ، وَهَذَا لَفْظُهُ، وَقَالَ: إِسْنَادُهُ جَيِّدٌ.

**1215.** Narrated Jâbir رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone swears a false oath on this pulpit of mine, he will have prepared his place in Hell."[1] [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i; Ibn Hibbân graded it *Sahih* (sound)].

(١٢١٥) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى مِنْبَرِي هَذَا بِيَمِينٍ آثِمَةٍ تَبَوَّأَ مَقْعَدَهُ مِنَ النَّارِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1216.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There are three[2] to whom Allâh will not speak to on the Day of Resurrection, at whom He will not look, and whom He will not purify, and they will have a painful punishment: (a) a man at a place with excess water in the desert and who withholds it from the travellers; (b) a man who sold a commodity to another person in the afternoon (or after the afternoon prayer) and swore to him in Allâh that he had bought it at such and such price and he (the buyer) believed him yet that was not the case; (c) and a man who pledged allegiance to the *Imâm* but for the sake of the world (material gains), if the *Imâm* bestowed on him something out of that worldly riches he stood by his allegiance, and if he did not give

(١٢١٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «ثَلَاثَةٌ لَا يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ، وَلَا يَنْظُرُ إِلَيْهِمْ، وَلَا يُزَكِّيهِمْ، وَلَهُمْ عَذَابٌ أَلِيمٌ: رَجُلٌ عَلَى فَضْلِ مَاءٍ بِالْفَلَاةِ يَمْنَعُهُ مِنِ ابْنِ السَّبِيلِ. وَرَجُلٌ بَايَعَ رَجُلاً بِسِلْعَةٍ بَعْدَ الْعَصْرِ، فَحَلَفَ لَهُ بِاللَّهِ: لَأَخَذَهَا بِكَذَا وَكَذَا، فَصَدَّقَهُ، وَهُوَ عَلَى غَيْرِ ذَلِكَ. وَرَجُلٌ بَايَعَ إِمَاماً لَا يُبَايِعُهُ إِلَّا لِلدُّنْيَا فَإِنْ أَعْطَاهُ مِنْهَا وَفَى، وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ». مُتَّفَقٌ عَلَيْهِ.

---

[1] This *Hadîth* states that the intensity of a sin and punishment may vary depending on the time and place of their commission and occurrence.

[2] This *Hadîth* states that in comparison to other criminals, their condition will be at worst and more deplorable as such people shall incur the anger and torment of Allâh.

him, he did not fulfill the allegiance." [Agreed upon].

**1217.** Narrated Jâbir رضي الله عنه: Two men disputed about a she-camel and each of them brought a proof that it was his animal, and that it was born at his place. Allâh's Messenger صلى الله عليه وسلم then ruled it for the one who had it in his possession.

(١٢١٧) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلَيْنِ اخْتَصَمَا فِي نَاقَةٍ، فَقَالَ كُلُّ وَاحِدٍ مِّنْهُمَا: نُتِجَتْ عِنْدِي، وَأَقَامَا بَيِّنَةً، فَقَضَى بِهَا رَسُولُ اللهِ ﷺ لِمَنْ هِيَ فِي يَدِهِ.

**1218.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم restored the oath to be sworn by the plaintiff. [Ad-Dâraqutni reported the two aforesaid *Ahadîth*, and there is weakness in their chains of narrators].

(١٢١٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ رَدَّ الْيَمِينَ عَلَى طَالِبِ الْحَقِّ. رَوَاهُمَا الدَّارَقُطْنِيُّ، وَفِي إِسْنَادِهِمَا ضَعْفٌ.

**1219.** Narrated 'Aisha رضي الله عنها: One day the Prophet صلى الله عليه وسلم came to me looking pleased while his face was glistening and said, "Did you not see that Mujazziz Al-Mudliji[1] (a physiognomist) looked at Zaid bin Hâritha and Usâma bin Zaid[2], and then said, 'These feet are related to one another.' "[3] [Agreed upon].

(١٢١٩) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: دَخَلَ عَلَيَّ النَّبِيُّ ﷺ ذَاتَ يَوْمٍ مَسْرُوراً، تَبْرُقُ أَسَارِيرُ وَجْهِهِ، فَقَالَ: «أَلَمْ تَرَىْ أَنَّ مُجَزِّزاً الْمُدْلِجِيَّ نَظَرَ آنِفاً إِلَى زَيْدِ ابْنِ حَارِثَةَ وَأُسَامَةَ بْنِ زَيْدٍ، فَقَالَ: هٰذِهِ الْأَقْدَامُ بَعْضُهَا مِنْ بَعْضٍ». مُتَّفَقٌ عَلَيْهِ.

---

[1] He was a *Sahâbi* from the tribe of Mudlij, and was called Mujazziz bin Al-A'war bin Ju'da Al-Kinâni Al-Mudliji. He was one of most famous physiognomists during the *Jâhiliya* era. Ibn Yunus mentioned him among the *Sahâba* who conquest Egypt.

[2] The Prophet صلى الله عليه وسلم was happy because some people used to doubt Zaid's fatherhood to Usâma, for Zaid had fair complexion while Usâma had a dark one due to his mother who was a black Abyssinian (Ethiopian) woman.

[3] It is narrated that Zaid bin Haritha رضي الله عنه the freed slave of the Prophet صلى الله عليه وسلم was of a white complexion whereas his son Usama رضي الله عنه was rather dark-complexioned. Because of this, people started casting slurs on him regarding his lineage. Majazziz Al-Mudliji saw them lying down, their faces wrapped up with linen and their feet lying bare. When he saw their feet, he uttered these words which in turn enthused the Prophet صلى الله عليه وسلم. This proves that while making a conclusion about a certain thing, one may resort to his personal intuition, ability to read between the lines and the gift of deducing facts out of reading a person's physiognomy.

# 15. THE BOOK OF EMANCIPATION

# ١٥ - كِتَابُ الْعِتْقِ

**1220.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If a Muslim man emancipates a Muslim man, Allâh will set free from Hell[1] an organ of his body for every organ of his (the emancipated man's body)." [Agreed upon].

Narrated Abû Umama (رضي الله عنه): Allâh's Messenger صلى الله عليه وسلم said, "If a Muslim man emancipates two Muslim women, they will be his deliverance from Hell." [At-Tirmidhi reported it, and graded it *Sahih* (sound)]. Ka'b bin Murra[2] (رضي الله عنه) narrated: (Allâh's Messenger صلى الله عليه وسلم said) "And if a Muslim woman emancipates a Muslim woman, she will be her deliverance from Hell." [Reported by Abû Dâ'ud].

(١٢٢٠) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**أَيُّمَا امْرِىءٍ مُسْلِمٍ أَعْتَقَ امْرَأً مُسْلِماً اسْتَنْقَذَ اللَّهُ بِكُلِّ عُضْوٍ مِنْهُ عُضْواً مِنْهُ مِنَ النَّارِ**» مُتَّفَقٌ عَلَيْهِ.

وَلِلتِّرْمِذِيِّ - وَصَحَّحَهُ - عَنْ أَبِي أُمَامَةَ: أَيُّمَا امْرِىءٍ مُسْلِمٍ أَعْتَقَ امْرَأَتَيْنِ مُسْلِمَتَيْنِ كَانَتَا فِكَاكَهُ مِنَ النَّارِ. وَلِأَبِي دَاوُدَ مِنْ حَدِيثِ كَعْبِ بْنِ مُرَّةَ: أَيُّما امْرَأَةٍ مُسْلِمَةٍ أَعْتَقَتِ امْرَأَةً مُسْلِمَةً كَانَتْ فِكَاكَها مِنَ النَّارِ.

**1221.** Narrated Abû Dhar رضي الله عنه: He asked the Prophet صلى الله عليه وسلم about what action was most excellent and he replied, "Faith in Allâh and *Jihâd* in His Path." He then asked which slaves were most excellent (for the purpose of emancipating them) and he replied, "Those whose prices are highest and are the most valuable to their people." [Agreed upon].

(١٢٢١) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ النَّبِيَّ ﷺ: أَيُّ الْعَمَلِ أَفْضَلُ؟ قَالَ: «**إِيمَانٌ بِاللهِ، وَجِهَادٌ فِي سَبِيلِهِ**». قُلْتُ: فَأَيُّ الرِّقَابِ أَفْضَلُ؟ قَالَ: «**أَغْلاهَا ثَمَناً، وَأَنْفَسُها عِنْدَ أَهْلِهَا**». مُتَّفَقٌ عَلَيْهِ.

**1222.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone emancipates his share in a slave and has enough money to pay

(١٢٢٢) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ أَعْتَقَ شِرْكاً لَهُ فِي عَبْدٍ، فَكَانَ لَهُ مَالٌ يَبْلُغُ**

[1] The said reward may be earned by manumitting any slave, whether a believer or a disbeliever. The manumission of a believer slave earns a greater reward.

[2] He was a *Sahâbi* and was also said to be called Murra bin Ka'b. He settled at Basra, then at Jordan where he died in the year 57 H. or 59 H.

the full price for him, a fair price for the slave should be fixed, his partners given their shares, and the slave be thus emancipated;[1] otherwise he is emancipated only to the extent of the first man's share." [Agreed upon].

ثَمَنَ الْعَبْدِ، قُوِّمَ عَلَيْهِ قِيمَةَ عَدْلٍ، فَأَعْطَى شُرَكَاءَهُ حِصَصَهُمْ، وَعَتَقَ عَلَيْهِ الْعَبْدُ، وَإِلاَّ فَقَدْ عَتَقَ مِنْهُ مَا عَتَقَ». مُتَّفَقٌ عَلَيْهِ.

Narrated Abû Huraira رضى الله عنه: (The Prophet صلى الله عليه وسلم said) "Otherwise he will be required (to work to pay for his freedom, but must not be overburdened." [Agreed upon]. And it is said that (to work to pay for his freedom) was inserted in the text.

وَلَهُمَا عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: «وَإِلاَّ قُوِّمَ عَلَيْهِ، وَاسْتُسْعِيَ غَيْرَ مَشْقُوقٍ عَلَيْهِ». وَقِيلَ: إِنَّ السِّعَايَةَ مُدْرَجَةٌ فِي الْخَبَرِ.

**1223.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A son cannot repay what he owes his parent unless he finds him in slavery, then buys him and emancipates him."[2] [Reported by Muslim].

(١٢٢٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ يَجْزِي وَلَدٌ وَالِدَهُ إِلاَّ أَنْ يَجِدَهُ مَمْلُوكاً فَيَشْتَرِيَهُ، ثُمَّ يُعْتِقَهُ». رَوَاهُ مُسْلِمٌ.

**1224.** Narrated Samura (bin Jundub) رضى الله عنه: The Prophet صلى الله عليه وسلم said, "If anyone gets possession of a next of kin relative,[3] that person becomes free." [Reported by Ahmad and

(١٢٢٤) وَعَنْ سَمُرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ مَلَكَ ذَا رَحِمٍ مَحْرَمٍ فَهُوَ حُرٌّ». رَوَاهُ أَحْمَدُ وَالأَرْبَعَةُ، وَرَجَّحَ

---

[1] This *Hadith* states that a slave who has been partially freed, acquires the status of a bonded slave who neither may be presented to someone, nor can be sold out.

[2] This *Hadith* clarifies that a father is not considered to be free, merely on the condition that he has been paid for by his son, neigh, he will regarded lawfully free only if manumitted and declared as such by his son. There is nothing distinctive about a father in this matter as exactly the same ruling will be applicable to a mother also. This *Hadîth*, on one hand, enlightens us on the parental rights whereas on the other hand, it highlights the tremendous virtuousness ascribed to the act of freeing slaves.

[3] This *Hadith* proves that the relatives who are so close to each other that they could not be bound by a wedlock, may not similarly have the relationship of a master and a slave. If the enslaved person is a woman, the ruling becomes all too clear. but if such a person happens to be a male one, then the criteria to determine the applicability of this ruling is that one of those persons (i.e., the master and the slave) is hypothetically presumed to be a woman. In the light of such a presumption, it can be determined as to whether or not they could be bound by a wedlock. If affirmative, the said ruling applies to them as they are *Mahram* to each other.

*Al-Arba'a*, some *Hadîth* scholars preponderated that it is *Mawqûf*].

جَمْعٌ مِنَ الْحُفَّاظِ أَنَّهُ مَوْقُوفٌ.

**1225.** Narrated 'Imrân bin Husain رضي الله عنهما: A man who had no other property emancipated six slaves of his at the time of his death.[1] Allâh's Messenger صلى الله عليه وسلم sent for them, and after dividing them into three sections, casting lots among them, set two free and kept four in slavery.[2] Reported by Muslim].

(١٢٢٥) وَعَنْ عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا أَنَّ رَجُلاً أَعْتَقَ سِتَّةَ مَمَالِيكَ لَهُ، عِنْدَ مَوْتِهِ، لَمْ يَكُن لَهُ مَالٌ غَيْرَهُمْ، فَدَعَا بِهِمْ رَسُولُ اللهِ ﷺ، فَجَزَّأَهُمْ أَثلاثاً، ثُمَّ أَقْرَعَ بَيْنَهُمْ، فَأَعْتَقَ اثْنَيْنِ، وَأَرَقَّ أَرْبَعَةً، وَقَالَ لَهُ قَوْلاً شَدِيداً. رَوَاهُ مُسْلِمٌ.

**1226.** Narrated Safina رضي الله عنه: I was a slave of Umm Salama رضي الله عنها, and she said, "I shall emancipate you, but on condition that you serve Allâh's Messenger صلى الله عليه وسلم as long as you live."[3] [Reported by Ahmad, Abû Dâ'ud, An-Nasâ'i and Al-Hâkim].

(١٢٢٦) وَعَنْ سَفِينَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كُنْتُ مَمْلُوكاً لِأُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، فَقَالَتْ: أَعْتِقُكَ، وَأَشْتَرِطُ عَلَيْكَ أَنْ تَخْدِمَ رَسُولَ اللهِ ﷺ مَا عِشْتَ. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ وَالْحَاكِمُ.

**1227.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "The right of inheritance from an emancipated slave belongs to the one who set him free."[4] [Agreed upon, in a long *Hadîth*].

(١٢٢٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**إِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ**». مُتَّفَقٌ عَلَيْهِ فِي حَدِيثٍ طَوِيلٍ.

**1228.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "The right of inheritance from an emancipated slave is kindred like that

(١٢٢٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْوَلَاءُ لُحْمَةٌ كَلُحْمَةِ النَّسَبِ، لَا يُبَاعُ وَلَا**

[1] This *Hadîth* informs us that a charity made during one's sickness has the same ruling as bequeathing something by making a will. A sick person cannot donate more than one-third of his property as a gift or an endowment. The harsh words used by the Prophet صلى الله عليه وسلم about the said person were: "Had I been informed about the unlawful act of that person beforehand, I would have disallowed his burial in the graveyard of Muslims."

[2] Because two-thirds of a dead man's property must go to his heirs.

[3] This *Hadîth* denotes that while freeing a slave, it is permissible to make such a manumission a conditional one with his word of promise to the effect that the will keep serving his former master off and on. What proves the permissibility of this practice is that the Prophet صلى الله عليه وسلم upheld this condition and did not pronounce it null and void.

[4] This states that *Walâ'* (the legacy of freed slave) belongs to the one who manumits the slave. It is improper either to sell it or present it to someone.

of lineage; it should not be sold, nor gifted." [Reported by Ash-Shâfi'i; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound), and it occurs in the *Sahihain* but in another version].

يُوهَبُ». رَوَاهُ الشَّافِعِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ بِغَيْرِ هٰذَا اللَّفْظِ.

## Chapter 1

## MATTERS PERTAINING TO *MUDABBAR*[1], *MUKATAB*[2] AND *UMM-UL-WALAD*[3]

## بَابُ الْمُدَبَّرِ وَالْمُكَاتَبِ وَأُمِّ الْوَلَدِ

**1229.** Narrated Jâbir رضي الله عنه: A man of the *Ansâr* declared that his slave lad would be free after his death,[4] yet he had no other property, so when the Prophet صلى الله عليه وسلم heard of that he said, "Who will buy him from me?" And Nu'aim bin 'Abdullâh[5] bought him for eight hundred Dirhams. [Agreed upon]. A version by Al-Bukhâri has: "The man became needy."

A version by An-Nasâ'i has: "The man had a debt, so the Prophet صلى الله عليه وسلم sold the slave for eight hundred Dirhams and gave him the money and said, "Pay off your debt."

(١٢٢٩) عَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلاً مِّنَ الْأَنْصَارِ أَعْتَقَ غُلَاماً لَّهُ عَنْ دُبُرٍ، وَلَمْ يَكُنْ لَهُ مَالٌ غَيْرُهُ، فَبَلَغَ ذٰلِكَ النَّبِيَّ ﷺ، فَقَالَ: «مَنْ يَشْتَرِيهِ مِنِّي؟» فَاشْتَرَاهُ نُعَيْمُ ابْنُ عَبْدِ اللهِ بِثَمَانِمَائَةِ دِرْهَمٍ، مُتَّفَقٌ عَلَيْهِ. وَفِي لَفْظٍ لِلْبُخَارِيِّ: فَاحْتَاجَ.

وَفِي رِوَايَةٍ لِلنَّسَائِيِّ: وَكَانَ عَلَيْهِ دَيْنٌ فَبَاعَهُ بِثَمَانِمَائَةِ دِرْهَمٍ، فَأَعْطَاهُ، وَقَالَ: «اقْضِ دَيْنَكَ».

**1230.** 'Amr bin Shu'aib, on his father's authority, told that his

(١٢٣٠) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ

[1] A slave told by his master, "You are free after my death."

[2] A slave who enters into an agreement with his master to buy his freedom.

[3] A slave-woman who bears her master's children.

[4] We learn through this *Hadith* that a master can declare one of his male or female slaves as *Mudabbar*, provided that he is not in a state of sickness. Such a thing is permissible for him in case he has no wealth other than his slaves. It is not permissible to sell a *Mudabbar* but in case a situation, like the one mentioned in the above *Hadith*, arises, then it becomes permissible to sell a *Mudabbar*.

[5] He was nicknamed An-Nakhkhâm and was a Qurashi of 'Adi clan. He became a Muslim long ago and kept his faith secret, and when he wanted to migrate Banu 'Adi, his clansmen requested him to stay and believe in any religion of his choice, because he used to spend on their widows and orphans, so he stayed. Then he migrated in the year of Al-Hudaibiya. He was martyred during the conquests of Shâm in the lifetime of Abû Bakr As-Siddiq or 'Umar Al-Farooq رضي الله عنهما.

grandfather narrated the Prophet صلى الله عليه وسلم as saying: "A slave who entered into an agreement to buy his freedom is a slave as long as a Dirham of the agreed price remains to be paid."[1] [Abû Dâ'ud reported it with a good chain of narrators, it occurs in the books of Ahmad and *Ath-Thalâtha*; Al-Hâkim graded it *Sahih* (sound)].

أَبِيهِ، عَنْ جَدِّهِ، عَنِ النَّبِيِّ ﷺ قَالَ: «الْمُكَاتَبُ عَبْدٌ، مَا بَقِيَ عَلَيْهِ مِنْ مُكَاتَبَتِهِ دِرْهَمٌ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ. وَأَصْلُهُ عِنْدَ أَحْمَدَ وَالثَّلَاثَةِ، وَصَحَّحَهُ الْحَاكِمُ.

**1231.** Narrated Umm Salama رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "When a slave of one of you women has made an agreement to buy his freedom and can pay the full price, she must veil herself from him."[2] [Reported by Ahmad and *Al-Arba'a*, and At-Tirmidhi graded it *Sahih* (sound)].

(١٢٣١) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كَانَ لِإِحْدَاكُنَّ مُكَاتَبٌ، وَكَانَ عِنْدَهُ مَا يُؤَدِّي، فَلْتَحْتَجِبْ مِنْهُ». رَوَاهُ أَحْمَدُ وَالْأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

**1232.** Narrated Ibn 'Abbâs رضي الله عنهما: The Prophet صلى الله عليه وسلم said,"The bloodwit of a slave who had made an agreement to buy his freedom (*Mukâtab*) and had been killed, is paid at the rate paid for a free man as much as he has paid of the purchase money, and at the rate paid for a slave

(١٢٣٢) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ النَّبِيَّ ﷺ قَالَ: «يُودَى الْمُكَاتَبُ بِقَدْرِ مَا عَتَقَ مِنْهُ دِيَةَ الْحُرِّ، وَبِقَدْرِ مَارَقَّ مِنْهُ دِيَةَ الْعَبْدِ». رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَالنَّسَائِيُّ.

---

[1] It implies that as long as a *Mukâtab* does not make a full payment of his bond, he will continue to be governed by the same rulings as are applicable to a slave. This clarifies one more thing that a slave be considered an owner of his earnings. It does not mean that a slave does not become an owner of anything at all. *Mukâtab* may be defined as a certain male or female slave who makes an agreement with his master to the effect that in case the master manumits him, he will pay him such and such amount in lieu of freedom. This kind of an agreement is known as *Mukâtaba* and a slave who enters such an agreement is called *Mukâtab*.

[2] A mistress, as a matter of *Shari'a* regulation, does not hide her face from her slave as he is just like a child to her. But if a *Mukâtab* accumulates a sufficient amount of money to emancipate him from the bonded agreement, she should start veiling herself completely in front of him. This act is preferable since the above *Hadîth* states that as long as a *Mukâtab* does not make a full payment of his bonded agreement, he will be considered a slave.

as the remainder is concerned."[1] [Reported by Ahmad, Abû Dâ'ud and An-Nasâ'i].

**1233.** Narrated 'Amr bin Al-Hârith[2], the brother of Juwairiya, the mother of the Believers رضي الله عنهما: When Allâh's Messenger صلى الله عليه وسلم died, he did not leave a Dinâr or a Dirham, a slave or a slave-woman, or anything but his white she-mule, his weapons and some land which he appointed as *Sadaqa*[3]. [Reported by Al-Bukhâri].

(١٢٣٣) وَعَنْ عَمْرِو بْنِ الْحَارِثِ، أَخِي جُوَيْرِيَةَ أُمِّ الْمُؤْمِنِينَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: مَا تَرَكَ رَسُولُ اللَّهِ ﷺ عِنْدَ مَوْتِهِ دِرْهَماً، وَلاَ دِينَاراً، وَلاَ عَبْداً، وَلاَ أَمَةً، وَلاَ شَيْئاً، إِلاَّ بَغْلَتَهُ الْبَيْضَاءَ، وَسِلاَحَهُ، وَأَرْضاً جَعَلَهَا صَدَقَةً. رَوَاهُ الْبُخَارِيُّ.

**1234.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When a man's slave-woman bears him a child she becomes free at his death." [Ibn Mâjah and Al-Hâkim reported it with a weak chain of narrators, a group of *Hadîth* scholars preponderated that it does not go farther than 'Umar رضي الله عنه].

(١٢٣٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**أَيُّمَا أَمَةٍ وَلَدَتْ مِنْ سَيِّدِهَا فَهِيَ حُرَّةٌ بَعْدَ مَوْتِهِ**». أَخْرَجَهُ ابْنُ مَاجَهْ وَالْحَاكِمُ بِإِسْنَادٍ ضَعِيفٍ، وَرَجَّحَ جَمَاعَةٌ وَقْفَهُ عَلَى عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ.

**1235.** Narrated Sahl bin Hunaif رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who assists a *Mujâhid* in Allâh's Path, a debtor when he is in distress or a slave who had made an agreement to buy his freedom, Allâh will cover him (with His Shade) on the Day when there will be no shade but His." [Reported by Ahmad; Al-Hâkim graded it *Sahih* (sound)].

(١٢٣٥) وَعَنْ سَهْلِ بْنِ حُنَيْفٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «**مَنْ أَعَانَ مُجَاهِداً فِي سَبِيلِ اللَّهِ، أَوْ غَارِماً فِي عُسْرَتِهِ، أَوْ مُكَاتَباً فِي رَقَبَتِهِ، أَظَلَّهُ اللَّهُ يَوْمَ لاَ ظِلَّ إِلاَّ ظِلُّهُ**». رَوَاهُ أَحْمَدُ وَصَحَّحَهُ الْحَاكِمُ.

---

[1] Al-Khattabi said, "The general consensus of the *Fiqh* scholars is that a *Mukâtab* is a slave as regards penalties and bloodwits, so long as he is owed one Dirham. However, Ibrâhim An-Nakha'i and an opinion narrated from 'Ali have relied on this *Hadith,* whereas other *Ulamâ'* considered it abrogated.

[2] He is Ibn Al-Hârith bin Abû Dirâr bin Habib Al-Khuzâ'i Al-Mustaliqi. He was a *Sahâbi* and has only this *Hadîth* according to the *Hadîth* scholars.

[3] When the Prophet صلى الله عليه وسلم passed away, Maria Qibtiya, the mother of the Prophet's son Ibrâhim was alive. She was a slave of the Prophet صلى الله عليه وسلم. Since she had mothered a child, she became free after the death of the Prophet صلى الله عليه وسلم. The sole purpose of mentioning this *Hadith* here is that a female *Umm-ul-Walad* slave, becomes free after the death of her master. *Umm-ul-Walad* is a female slave who has given birth to the child of her master.

# 16. THE COMPREHENSIVE BOOK

# ١٦ - كِتَابُ الْجَامِعِ

## Chapter 1. GOOD BEHAVIOUR

## ١ - بَابُ الْأَدَبِ

**1236.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A Muslim has six duties[1] towards another Muslim: When you meet him, salute him; when he invites you, accept it; when he asks your advice, give it to him; when he sneezes and praises Allâh, say 'May Allâh have mercy on you'; when he is ill, visit him; and when he dies follow his funeral." [Reported by Muslim].

(١٢٣٦) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «حَقُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ سِتٌّ، إِذَا لَقِيتَهُ فَسَلِّمْ عَلَيْهِ، وَإِذَا دَعَاكَ فَأَجِبْهُ، وَإِذَا اسْتَنْصَحَكَ فَانْصَحْهُ، وَإِذَا عَطَسَ فَحَمِدَاللَّهَ فَشَمِّتْهُ، وَإِذَا مَرِضَ فَعُدْهُ، وَإِذَا مَاتَ فَاتَّبِعْهُ» رَوَاهُ مُسْلِمٌ.

**1237.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Look at those who are lower than you[2] (economically) but don't look at those who are higher than you, lest you belittle the favours Allâh conferred upon you." [Agreed upon].

(١٢٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «انْظُرُوا إِلَى مَنْ هُوَ أَسْفَلَ مِنْكُمْ، وَلَا تَنْظُرُوا إِلَى مَنْ هُوَ فَوْقَكُمْ، فَهُوَ أَجْدَرُ أَنْ لَا تَزْدَرُوا نِعْمَةَ اللهِ عَلَيْكُمْ». مُتَّفَقٌ عَلَيْهِ.

**1238.** Narrated An-Nawwâs bin Sam'ân[3] رضي الله عنه: I asked Allâh's Messenger صلى الله عليه وسلم about righteousness and sin and he replied,

(١٢٣٨) وَعَنِ النَّوَّاسِ بْنِ سَمْعَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ عَنِ الْبِرِّ وَالْإِثْمِ، فَقَالَ: «الْبِرُّ حُسْنُ

[1] We learn through this *Hadith* that the carrying out of these obligations is compulsory. Some scholars have regarded them as a collective duty.

[2] This *Hadith* has an instigation that a man should always compare his financial condition with that of a poor person as such a thing generates the feeling of God-fearfulness within one's heart. A constant contemplation, about the people who are financially better off than oneself, only helps to enhance one's greed which in turn leads to a feeling of dissatisfaction and jealousy.

[3] An-Nawwâs bin Sam'ân bin Khâlid Al-Kilâbi Al-'Aamiri was a *Sahâbi* counted among the people of Shâm. It was said that his father visited the Prophet صلى الله عليه وسلم who prayed for him. He then gave the Prophet صلى الله عليه وسلم a pair of sandals which he accepted.

"Righteousness is good character[1] and sin[2] is that which revolves in your heart, and you hate people to notice." [Muslim reported it].

الْخُلُق، وَالْإِثْمُ مَا حَاكَ فِي صَدْرِكَ وَكَرِهْتَ أَنْ يَطَّلِعَ عَلَيْهِ النَّاسُ». أَخْرَجَهُ مُسْلِمٌ.

**1239.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When three of you are together, two must not talk privately ignoring the other[3] till you mix with other people, so as not to sadden him." [Agreed upon; the version is of Muslim].

(١٢٣٩) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ: قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا كُنْتُمْ ثَلَاثَةً فَلَا يَتَنَاجَ اثْنَانِ دُونَ الْآخَرِ، حَتَّى تَخْتَلِطُوا بِالنَّاسِ، مِنْ أَجْلِ أَنَّ ذَلِكَ يُحْزِنُهُ». مُتَّفَقٌ عَلَيْهِ، وَاللَّفْظُ لِمُسْلِمٍ.

**1240.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "A man must not make another get up from his place and then occupy it himself,[4] but you should spread out and make room." [Agreed upon].

(١٢٤٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يُقِيمُ الرَّجُلُ الرَّجُلَ مِنْ مَجْلِسِهِ ثُمَّ يَجْلِسُ فِيهِ، وَلَكِنْ تَفَسَّحُوا وَتَوَسَّعُوا». مُتَّفَقٌ عَلَيْهِ.

**1241.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When one of you eats, he must not wipe his hand till he licks it, or give it to someone to lick."[5] [Agreed upon].

(١٢٤١) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِذَا أَكَلَ أَحَدُكُمْ طَعَاماً فَلَا يَمْسَحْ يَدَهُ حَتَّى يَلْعَقَهَا أَوْ يُلْعِقَهَا» مُتَّفَقٌ عَلَيْهِ.

---

[1] A good morality is that a person should treat people with affection and must be patient whenever he is wronged by them.

[2] The sins are of two kinds. The first are the ones about which there are clear prohibitions in *Shari'a*. It is an obligation upon all to avoid them. Other ones are those whose prohibition is not to be found apparently but their commission is reproached and condemned by the human nature and thus one feels remorseful. Therefore it is better to avoid them.

[3] The respect of human sentiments is proven and enjoined upon by this *Hadith*. One should never do a thing which hurts the feelings of others.

[4] This *Hadith* states that if a person happens to occupy a space in a mosque for a prayer, or any other place (which is not owned by anyone) elsewhere for any other purpose, the space thus occupied belongs to him alone (i.e., no one has a right to dispossess him from there).

[5] The reason for this act is justified by the Prophet صلى الله عليه وسلم by saying, "You never know as to what portion of your meal is blessed with auspiciousness." This *Hadith* further clarifies that it not obligatory to wash off one's hands after having the meal. It will do if one cleans them by using a towel or a napkin also.

**1242.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The young should salute the old, the one who is passing by should salute the one who is sitting,[1] and the small company should salute the large one." [Agreed upon]. A version by Muslim has: "And the one who is riding should salute the one who is walking."

(١٢٤٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لِيُسَلِّمِ الصَّغِيرُ عَلَى الْكَبِيرِ، وَالْمَارُّ عَلَى الْقَاعِدِ، وَالْقَلِيلُ عَلَى الْكَثِيرِ» مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةٍ لِمُسْلِمٍ: وَالرَّاكِبُ عَلَى الْمَاشِي.

**1243.** Narrated 'Ali رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When people are passing by, it is enough if one of them gives a salutation on their behalf, and that it is enough for those who are sitting if one of them replies."[2] [Reported by Ahmad and Al-Baihaqi].

(١٢٤٣) وَعَنْ عَلِيٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يُجْزِىءُ عَنِ الْجَمَاعَةِ - إِذَا مَرُّوا - أَنْ يُسَلِّمَ أَحَدُهُمْ، وَيُجْزِىءُ عَنِ الْجَمَاعَةِ أَنْ يَرُدَّ أَحَدُهُمْ». رَوَاهُ أَحْمَدُ وَالْبَيْهَقِيُّ.

**1244.** Narrated Abu Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not salute Jews and Christians before they salute you,[3] and when you meet one of them on the road force him to go to its narrowest side."[4] [Muslim reported it].

(١٢٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا تَبْدَءُوا الْيَهُودَ وَالنَّصَارَى بِالسَّلَامِ، وَإِذَا لَقِيتُمُوهُمْ فِي طَرِيقٍ فَاضْطَرُّوهُمْ إِلَى أَضْيَقِهِ». أَخْرَجَهُ مُسْلِمٌ.

[1] Another *Hadith* states that a rider must greet a pedestrian and a passer-by must greet the standing person. If two persons are walking, either of them may commence greeting, however, he is better who greets first. The scholars agree that this is only a matter of preference and is not a compulsory ruling.

[2] The commencement of *Salâm* is a collective duty and similarly answering a *Salâm* is also a collective obligation. If one person among a group pronounces *Salâm*, the obligation will be met and completed on behalf of all.

[3] The majority of the earlier scholars is of the opinion that one should not commence greeting a non-Muslim first. If he greets, then his greeting should be answered. But some scholars have allowed that the non-Muslims may be greeted first in case such a thing becomes unavoidable out of necessity.

[4] Letting them pass through a narrow path implies that their way should not be cleared out of respect for them. If it is too crowded, one should let a Muslim pass first and then only a non-Muslim may be allowed to pass.

**1245.** Narrated (Abu Huraira) رضي الله عنه: The Prophet صلى الله عليه وسلم said, "When one of you sneezes, he should say, '*Alhamdu Lillâh* (Praise is to Allâh)',[1] and his brother should say to him, '*Yarhamuka-llâh* (May Allâh have mercy on you)'. When he says this he should reply, '*Yahdîkumyu-llâh* (May Allâh guide you and give you well being.)'" [Al-Bukhâri reported it].

(١٢٤٥) وَعَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِذَا عَطَسَ أَحَدُكُمْ فَلْيَقُلْ: الْحَمْدُ لِلَّهِ، وَلْيَقُلْ لَهُ أَخُوهُ: يَرْحَمُكَ اللَّهُ. فَإِذَا قَالَ لَهُ: يَرْحَمُكَ اللَّهُ، فَلْيَقُلْ لَهُ: يَهْدِيكُمُ اللَّهُ وَيُصْلِحُ بَالَكُمْ» أَخْرَجَهُ الْبُخَارِيُّ.

**1246.** Narrated (Abu Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "None of you should drink standing."[2] [Muslim reported it].

(١٢٤٦) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَشْرَبَنَّ أَحَدُكُمْ قَائِماً». أَخْرَجَهُ مُسْلِمٌ.

**1247.** Narrated (Abu Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When one of you puts on shoes, he should put on the right one first; and when he takes them off, he should take off the left one first, so that the right one should be the first to be put on and the last to be taken off[3] (the shoes)." [Agreed upon].

(١٢٤٧) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا انْتَعَلَ أَحَدُكُمْ فَلْيَبْدَأْ بِالْيَمِينِ، وَإِذَا نَزَعَ فَلْيَبْدَأْ بِالشِّمَالِ، وَلْتَكُنِ الْيُمْنَى أَوَّلَهُمَا تُنْعَلُ، وَآخِرَهُمَا تُنْزَعُ». مُتَّفَقٌ عَلَيْهِ.

**1248.** Narrated (Abu Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "None of you should walk with one shoe, but should either wear a

(١٢٤٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَمْشِ أَحَدُكُمْ فِي نَعْلٍ وَاحِدَةٍ، وَلْيُنْعِلْهُمَا جَمِيعاً، أَوْ لِيَخْلَعْهُمَا جَمِيعاً».

---

[1] One is required to answer until the third sneeze. If someone still keeps sneezing more than thrice (in a quick succession), his sneezing needs not be answered.

[2] Drinking water while standing does not fall under the category of an absolute prohibition, but the same is regarded as a suggestive prohibition.

[3] As a matter of principle, every honourable act should be started from the right side and anything which is not so much gratifying in terms of one's honourability, should be started from the left side. For instance, putting one's shoes on, combing one's hair and performing ablution should be started from the right side, whereas putting one's shoes off, and cleansing and purifying one's private parts should be started from one's left side.

pair or walk barefoot."[1] [Agreed upon].

مُتَّفَقٌ عَلَيْهِ.

**1249.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Allâh will not look on the Day of Resurrection at him who trails his garment arrogantly."[2] [Agreed upon].

(١٢٤٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ يَنْظُرُ اللَّهُ إِلَى مَنْ جَرَّ ثَوْبَهُ خُيَلاَءَ» مُتَّفَقٌ عَلَيْهِ.

**1250.** Narrated (Ibn 'Umar) رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "When any of you eats he should eat with his right hand, and when he drinks he should drink with his right hand, for the devil eats and drinks with his left hand."[3] [Muslim reported it].

(١٢٥٠) وَعَنْهُ أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِذَا أَكَلَ أَحَدُكُمْ فَلْيَأْكُلْ بِيَمِينِهِ، وَإِذَا شَرِبَ فَلْيَشْرَبْ بِيَمِينِهِ، فَإِنَّ الشَّيْطَانَ يَأْكُلُ بِشِمَالِهِ، وَيَشْرَبُ بِشِمَالِهِ» أَخْرَجَهُ مُسْلِمٌ.

**1251.** Narrated 'Amr bin Shu'aib, on his father's authority, that his grandfather narrated Allâh's Messenger صلى الله عليه وسلم as saying, "Eat, drink, wear clothes and give *Sadaqa* with neither extravagance nor pride."[4] [Abû Dâ'ud and Ahmad reported it. Al-Bukhâri mentioned it as *Mu'allaq* (suspended)].

(١٢٥١) وَعَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كُلْ، وَاشْرَبْ، وَالْبَسْ، وَتَصَدَّقْ، فِي غَيْرِ سَرَفٍ، وَلاَ مَخِيلَةٍ» أَخْرَجَهُ أَبُو دَاوُدَ وَأَحْمَدُ، وَعَلَّقَهُ الْبُخَارِيُّ.

---

[1] This is also a suggestive prohibition and not an absolute one, since a person doing such a thing looks absurd and ridiculous.

[2] A person whose waist-cloth hangs loose due to forgetfulness or the one whose belly is so huge that he cannot maintain the waist-cloth firmly tight around his belly, are however exceptions. Even though the punishment is conditioned with pride, it is generally forbidden (even without exhibiting any air of pride) to hang it loose. This ruling concerns men only and not the women, as the females are instructed to deliberately hang it loose to the extent of at least one hand span.

[3] This *Hadîth* states that the use of ones left hand for the purpose of eating and drinking is forbidden.

[4] This *Hadîth* is an elaboration of a Qur'ânic verse which says, "Eat and drink but do not spend excessively". This *Hadîth* implies that as long as an excessive spending is prohibited in the permitted matters, how could such a thing be justified in the matters which are forbidden altogether? In Arabic, the word *Isrâf* stands for overspending.

## Chapter 2
## KINDNESS, AND JOINING THE TIES OF RELATIONSHIP

## ٢ - بَابُ الْبِرِّ وَالصِّلَةِ

**1252.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who wishes to have his provision expanded and his term of life prolonged, should treat his relatives well."[1] [Reported by Al-Bukhâri].

(١٢٥٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ أَحَبَّ أَنْ يُبْسَطَ لَهُ فِي رِزْقِهِ، وَأَنْ يُنْسَأَ لَهُ فِي أَثَرِهِ، فَلْيَصِلْ رَحِمَهُ». أَخْرَجَهُ الْبُخَارِيُّ.

**1253.** Narrated Jubair bin Mut'im رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The one who severs ties of relationship will not enter Paradise."[2] [Agreed upon].

(١٢٥٣) وَعَنْ جُبَيْرِ بْنِ مُطْعِمٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَا يَدْخُلُ الْجَنَّةَ قَاطِعٌ». يَعْنِي قَاطِعَ رَحِمٍ. مُتَّفَقٌ عَلَيْهِ.

**1254.** Narrated Al-Mughira bin Shu'ba رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh has made it unlawful for you to be undutiful to your mothers, to bury your daughters alive, to refuse others (their dues), and to demand things from others, and He hates for you engaging in gossip, asking many questions about people's affairs, and squandering property" [Agreed upon].

(١٢٥٤) وَعَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الْأُمَّهَاتِ، وَوَأْدَ الْبَنَاتِ، وَمَنْعاً وَهَاتِ، وَكَرِهَ لَكُمْ قِيلَ وَقَالَ، وَكَثْرَةَ السُّؤَالِ، وَإِضَاعَةَ الْمَالِ». مُتَّفَقٌ عَلَيْهِ.

**1255.** Narrated 'Abdullâh bin 'Amr رضي الله عنهما: The Prophet صلى الله عليه وسلم

(١٢٥٥) وَعَنْ عَبْدِاللهِ بْنِ عَمْرٍو رَضِيَ

[1] The question which intrigues one here is that as long as the time of death is predetermined which does not oscillate back and forth, how does it come about that an act of well-treating one's relatives causes an increase in the life span of a person. The answer to this question is that the life span of a certain person which is in the Knowledge of Allâh, remains constant without a change, but the one which lies within the knowledge of the Angel of Death may diminish and increase accordingly. In other words, the Angel is given the knowledge of a suspended destiny and not the final and absolute one. For instance, he is told that if a certain person treats his relatives well, he will have a life span of a hundred years, otherwise the same will be reduced to sixty.

[2] This implies that such a person will be deprived of the privilege of entering heavens first. The Arabic word *Rahim* includes those relations with whom a matrimonial alliance is not permissible.

said, "Allâh's Pleasure results from the parents pleasure, and Allâh's Displeasure results from the parent's displeasure."[1] [At-Tirmidhi reported it; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «رِضَا اللهِ فِي رِضَا الْوَالِدَيْنِ، وَسُخْطُ اللهِ فِي سُخْطِ الْوَالِدَيْنِ» أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

**1256.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم said, "By Him in Whose Hand my soul is, a slave of Allâh does not believe till he likes for his neighbour[2] what he likes for himself." [Agreed upon].

(١٢٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ لَا يُؤْمِنُ عَبْدٌ حَتَّى يُحِبَّ لِجَارِهِ أَوْ لِأَخِيهِ مَا يُحِبُّ لِنَفْسِهِ». مُتَّفَقٌ عَلَيْهِ.

**1257.** Narrated Ibn Mas'ûd رضي الله عنه: I asked Allâh's Messenger صلى الله عليه وسلم, "Which sin is most serious?" He said, "To attribute a partner to Allâh, though He Alone has created you." I asked, "What next?" He replied, "To kill your child, fearing that it will share with you your food." I asked, "What next?" He said, "To commit adultery with your neighbour's wife."[3] [Agreed upon].

(١٢٥٧) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَأَلْتُ رَسُولَ اللهِ ﷺ أَيُّ الذَّنْبِ أَعْظَمُ؟ قَالَ: «أَنْ تَجْعَلَ لِلهِ نِدًّا، وَهُوَ خَلَقَكَ»، قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: «ثُمَّ أَنْ تَقْتُلَ وَلَدَكَ خَشْيَةَ أَنْ يَأْكُلَ مَعَكَ». قُلْتُ: ثُمَّ أَيٌّ؟ قَالَ: «ثُمَّ أَنْ تُزَانِيَ بِحَلِيلَةِ جَارِكَ». مُتَّفَقٌ عَلَيْهِ.

**1258.** Narrated 'Abdullâh bin 'Amr bin Al-'Aas رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "A man's reviling of his parents is one of the serious sins." It was asked, "Does a man revile his parents?" He replied, "Yes, he reviles the father of a man who then reviles his father, and he

(١٢٥٨) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرِو بْنِ الْعَاصِ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «مِنَ الْكَبَائِرِ شَتْمُ الرَّجُلِ وَالِدَيْهِ»، قِيلَ: وَهَلْ يَسُبُّ الرَّجُلُ وَالِدَيْهِ؟ قَالَ: «نَعَمْ يَسُبُّ أَبَا الرَّجُلِ فَيَسُبُّ أَبَاهُ، وَيَسُبُّ أُمَّهُ فَيَسُبُّ أُمَّهُ». مُتَّفَقٌ عَلَيْهِ.

---

[1] Disobedience of one's parents is considered to be a sin as long as they do not ask for anything contrary to the injunction of *Shari'a*.

[2] This *Hadîth* inculcates that one has a tremendous obligation towards his neighbour since the same has been declared as the sign of Faith.

[3] This *Hadîth* alludes to a principle that the major sins, depending of their enormity and intensity, differ from each other. A sinful act of adultery is forbidden in general, but committing such an act with a neighbour's wife is the most despicable crime.

reviles a man's mother and he reviles his."[1] [Agreed upon].

**1259.** Narrated Abû Ayûb رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "It is not permissible for a Muslim to avoid his brother for more than three nights.[2] When they meet, this one turns away (from this one) and that one turns away (from the other), and the best of them is the one who greets first the other one." [Agreed upon].

(١٢٥٩) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «**لَا يَحِلُّ لِمُسْلِمٍ أَنْ يَهْجُرَ أَخَاهُ فَوْقَ ثَلَاثِ لَيَالٍ، يَلْتَقِيَانِ فَيُعْرِضُ هَذَا وَيُعْرِضُ هَذَا، وَخَيْرُهُمَا الَّذِي يَبْدَأُ بِالسَّلَامِ**». مُتَّفَقٌ عَلَيْهِ.

**1260.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Every act of goodness is *Sadaqa*."[3] [Al-Bukhâri reported it].

(١٢٦٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**كُلُّ مَعْرُوفٍ صَدَقَةٌ**». أَخْرَجَهُ الْبُخَارِيُّ.

**1261.** Narrated Abû Dhar رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not consider any act of goodness insignificant,[4] even if it is meeting your brother with a cheerful face."

(١٢٦١) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لَا تَحْقِرَنَّ مِنَ الْمَعْرُوفِ شَيْئاً، وَلَوْ أَنْ تَلْقَى أَخَاكَ بِوَجْهٍ طَلْقٍ**».

**1262.** Narrated (Abû Dhar) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When you make some soup, add to it a lot of water and be mindful of your

(١٢٦٢) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِذَا طَبَخْتَ مَرَقَةً فَأَكْثِرْ مَاءَهَا، وَتَعَاهَدْ جِيرَانَكَ**». أَخْرَجَهُمَا مُسْلِمٌ.

[1] A principle which is inferred from this *Hadith* is that the utilisation of the means and factors leading to a forbidden thing is also forbidden. Even if the user of such means harbours no bad intention while utilising them, it is still a sinful act.

[2] If the reasons of such an ill will are personal matters, it is not permitted that an estrangement thus caused be continued longer than three days. But if the same is based on a religious matter, there is no limit specified to such an estrangement, as the same is a part of Faith itself.

[3] This states that *Sadaqa* (charity) does not mean giving away something out of one's wealth alone, but the performing of any good deed is an act of charity.

[4] Cheerfulness, as it appears, seems to be a very small thing but the same is rated and classified as a great virtue.

neighbours."[1] [Muslim reported the two *Hadîth*].

**1263.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone removes one of the anxieties of this world from a believer,[2] Allâh will remove one of the anxieties of the Day of Resurrection from him; if one smooths the way for one who is destitute, Allâh will smooth the way for him in this world and in the next; and if anyone conceals the faults of a Muslim, Allâh will conceal his faults in this world and in the next. Allâh helps His slave as long as he helps his brother." [Muslim reported it].

(١٢٦٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ نَفَّسَ عَنْ مُسْلِمٍ كُرْبَةً مِنْ كُرَبِ الدُّنْيَا نَفَّسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَبِ يَوْمِ الْقِيَامَةِ، وَمَنْ يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالْآخِرَةِ. وَمَنْ سَتَرَ مُسْلِماً سَتَرَهُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ، وَاللَّهُ فِي عَوْنِ الْعَبْدِ مَا كَانَ الْعَبْدُ فِي عَوْنِ أَخِيهِ». أَخْرَجَهُ مُسْلِمٌ.

**1264.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who guides to something good will have a reward similar to that of its doer (in the next)." [Muslim reported it].

(١٢٦٤) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ دَلَّ عَلَى خَيْرٍ فَلَهُ مِثْلُ أَجْرِ فَاعِلِهِ» أَخْرَجَهُ مُسْلِمٌ.

**1265.** Narrated Ibn 'Umar رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "If anyone seeks protection in Allâh's Name, grant him protection; if anyone begs in Allâh's Name, give him something; and if anyone does you a kindness, recompense him; but if you do not have the means to do so, pray for him." [Al-Baihaqi reported it].

(١٢٦٥) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنِ اسْتَعَاذَكُمْ بِاللَّهِ فَأَعِيذُوهُ، وَمَنْ سَأَلَكُمْ بِاللَّهِ فَأَعْطُوهُ، وَمَنْ أَتَى إِلَيْكُمْ مَعْرُوفاً فَكَافِئُوهُ، فَإِنْ لَمْ تَجِدُوا فَادْعُوا لَهُ». أَخْرَجَهُ الْبَيْهَقِيُّ.

[1] This ruling is to be treated as compulsory if the neighbour is a poor. But if one's neighbour is a rich one, then this ruling is to be treated as a matter of preference. The Prophet صلى الله عليه وسلم stated, "Whenever Gabriel came to me, he persistently kept emphasizing on the rights of one's neighbour to such an extent that it led me into thinking perhaps a neighbour may be declared as the inheritor of one's legacy."

[2] This *Hadîth* proves the superiority of help provided for other Muslims.

## Chapter 3
## ASCETISM AND PIETY[1]

## ٣ - بَابُ الزُّهْدِ وَالْوَرَعِ

**1266.** An-Nu'mân bin Bashir رضي الله عنهما: I heard Allâh's Messenger صلى الله عليه وسلم saying — Nu'mân pointed with his two fingers to his ears — "What is lawful is clear and what is unlawful is clear, but between them are certain doubtful things[2] which many people do not recognize. He who guards against doubtful things keeps his religion and his honour safe, but he who falls into doubtful things falls into what is unlawful, just as a shepherd who pastures his animals around a preserve, will soon pasture them in it. Surely every king has a preserve, and Allâh's preserve is His prohibitions. Surely there is a piece of flesh in the body, and the whole body is sound if it is sound, but the whole body will be spoilt if it is spoilt. Surely it is the heart." [Agreed upon].

(١٢٦٦) وَعَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ – وَأَهْوَى النُّعْمَانُ بِإِصْبَعَيْهِ إِلَى أُذُنَيْهِ –: «إِنَّ الْحَلَالَ بَيِّنٌ، وَإِنَّ الْحَرَامَ بَيِّنٌ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ، لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ، فَمَنِ اتَّقَى الشُّبُهَاتِ فَقَدِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ، وَمَنْ وَقَعَ فِي الشُّبُهَاتِ وَقَعَ فِي الْحَرَامِ. كَالرَّاعِي يَرْعَى حَوْلَ الْحِمَى يُوشِكُ أَنْ يَقَعَ فِيهِ. أَلَا! وَإِنَّ لِكُلِّ مَلِكٍ حِمًى، أَلَا! وَإِنَّ حِمَى اللهِ مَحَارِمُهُ. أَلَا! وَإِنَّ فِي الْجَسَدِ مُضْغَةً إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ، وَإِذَا فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ، أَلَا! وَهِيَ الْقَلْبُ». مُتَّفَقٌ عَلَيْهِ.

**1267.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The slave of the Dinâr, the slave of the Dirham, and the slave of bordered silk cloak are wretched. If such a one is given anything he is pleased, but if

(١٢٦٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «تَعِسَ عَبْدُ الدِّينَارِ وَالدِّرْهَمِ وَالْقَطِيفَةِ، إِنْ أُعْطِيَ رَضِيَ، وَإِنْ لَمْ يُعْطَ لَمْ يَرْضَ». أَخْرَجَهُ

[1] The word for piety in Arabic is *Wara'*, which means to keep oneself aloof from doubtful matters lest one should indulge in forbidden things unknowingly.

[2] This *Hadîth* pertains to the principles of Islâm. *Mushtabihât* are the things and matters whose arguments whether for them or against them are equally poised and hence the religious scholars fall out about their forbiddance and permissibility. The corruption and reformation of one's body is based on the corruption and reformation of one's heart. The reason for this phenomenon is that the heart governs the whole body. If a king happens to be morally warped, his subjects are likely to be corrupt too. Similarly if a king is a pious one, his subjects will follow suit and become virtuous.

not he is displeased."[1] [Al-Bukhâri reported it].

البُخَارِيُّ.

**1268.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم caught hold of my shoulders and said, "Be in the world as though you were a stranger or a wayfarer."[2] Ibn 'Umar (رضي الله عنهما) used to say, "If you are alive in the evening, do not expect to be alive till the morning and if you are alive in the morning do not expect to be alive till the evening, and take from your health for your sickness, and from your life for your death." [Al-Bukhâri reported it].

(١٢٦٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: أَخَذَ رَسُولُ اللَّهِ ﷺ بِمَنْكِبَيَّ، فَقَالَ: «كُنْ فِي الدُّنْيَا كَأَنَّكَ غَرِيبٌ أَوْ عَابِرُ سَبِيلٍ»، وَكَانَ ابْنُ عُمَرَ يَقُولُ: إِذَا أَمْسَيْتَ فَلاَ تَنْتَظِرِ الصَّبَاحَ، وَإِذَا أَصْبَحْتَ فَلاَ تَنْتَظِرِ الْمَسَاءَ، وَخُذْ مِنْ صِحَّتِكَ لِسَقَمِكَ، وَمِنْ حَيَاتِكَ لِمَوْتِكَ. أَخْرَجَهُ الْبُخَارِيُّ.

**1269.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "He who imitates any people is one of them." [Abû Dâ'ud reported it; Ibn Hibbân graded it *Sahih* (sound)].

(١٢٦٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ». أَخْرَجَهُ أَبُو دَاوُدَ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1270.** Narrated Ibn 'Abbâs رضي الله عنهما: One day I was riding behind the Prophet صلى الله عليه وسلم when he said, "Lad, be mindful of Allâh and He will protect you. Be mindful of Allâh[3] and you will find Him before you, when you ask (for anything) ask it from Allâh, and if you seek help, seek

(١٢٧٠) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كُنْتُ خَلْفَ النَّبِيِّ ﷺ يَوْماً فَقَالَ: «يَا غُلاَمُ! احْفَظِ اللَّهَ يَحْفَظْكَ، احْفَظِ اللَّهَ تَجِدْهُ تُجَاهَكَ، وَإِذَا سَأَلْتَ فَاسْأَلِ اللَّهَ، وَإِذَا اسْتَعَنْتَ فَاسْتَعِنْ بِاللَّهِ». رَوَاهُ التِّرْمِذِيُّ،

---

[1] It alludes to a veracious person or a man of greed. If such a person keeps acquiring some gratuities regularly, he will continue to be pleased and contended with Allâh. But if such a person does not gain anything, he will not only be displeased with Allâh, but will also be subjecting himself to a condition of heart-burning of a constant nature.

[2] This means that one should not be inclined towards the worldly enticements and should be content on acquiring what suffices his needs.

[3] Remembering of Allâh suggests that one should have full cognizance of and pay attention to both the Divine rules as well as interdictions. Being remembered by Allâh means that Allâh will deliver his slave from the hardships of this world and the Hereafter. This *Hadith* inculcates an absolute monotheism which is to be cherished and imbedded with perfection. The *Hadith* thus goes that the world to its entirety, is neither capable of inflicting any harm on you nor could it do you any good. Whatsoever Allâh wills and commands, shall happen.

help in Allâh." [Reported by At-Tirmidhi, who verified it as *Hasan* and *Sahih*].

وَقَالَ: حَسَنٌ صَحِيحٌ.

**1271.** Narrated Sahl bin Sa'd رضى الله عنه: A man came to the Prophet صلى الله عليه وسلم and said, "O Allâh's Messenger, direct me to a deed which if I do, I shall be loved by Allâh and by people." He replied, "If you practise abstinence in the world Allâh will love you,[1] and if you abstain from people's possessions they will love you." [Ibn Mâjah and others reported it, and said, it has a good chain of narrators].

(١٢٧١) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: جَاءَ رَجُلٌ إِلَى النَّبِيِّ ﷺ فَقَالَ: يَا رَسُولَ اللهِ! دُلَّنِي عَلَى عَمَلٍ إِذَا عَمِلْتُهُ أَحَبَّنِي اللَّهُ، وَأَحَبَّنِي النَّاسُ. فَقَالَ: «ازْهَدْ فِي الدُّنْيَا، يُحِبَّكَ اللَّهُ، وَازْهَدْ فِيمَا عِنْدَ النَّاسِ، يُحِبَّكَ النَّاسُ». رَوَاهُ ابْنُ مَاجَهْ وَغَيْرُهُ، وَسَنَدُهُ حَسَنٌ.

**1272.** Narrated Sa'd bin Abû Waqqâs رضى الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "Allâh loves the pious rich man who is inconspicuous."[2] [Muslim reported it].

(١٢٧٢) وَعَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «إِنَّ اللَّهَ يُحِبُّ الْعَبْدَ التَّقِيَّ الْغَنِيَّ الْخَفِيَّ». أَخْرَجَهُ مُسْلِمٌ.

**1273.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Part of a man's good observance of Islâm is that he leaves the things which do not concern him"[3] [Reported by At-Tirmidhi, who said it is a *Hasan Hadîth*].

(١٢٧٣) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ». رَوَاهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

**1274.** Narrated Al-Miqdâm bin Ma'dikarib رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A human

(١٢٧٤) وَعَنِ الْمِقْدَامِ بْنِ مَعْدِيكَرِبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ

[1] The right and the most appropriate recipe for one to become a beloved of Allâh is that he should be totally independent from the world and stop becoming dependent on the people for his requirements.

[2] Allâh's love implies that He would do good to his slave and direct him on the right path. A righteous person is the one who carries out the Divine laws and refrains from committing Divine interdictions. *Ghani* (rich) is the one who is rich at heart and *Khafi* implies a person who is free from hypocrisy and showing-off.

[3] When a person has an absolute conviction that Allâh has a perfect knowledge of whatever I say and do, he is sure to withhold himself from doing any unnecessary act.

being has not filled any vessel which is worse than his belly."[1] [At-Tirmidhi reported and graded it *Hasan*].

**1275.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "All the sons of Adam are sinners, but the best of sinners are those who repent often."[2] [At-Tirmidhi and Ibn Mâjah reported it, and it has a strong chain of narrators].

**1276.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Wisdom consists in keeping silent,[3] and those who practise it are few." [Al-Baihaqi reported it in *Ash-Shu'ab* with a weak chain of narrators, and the sound view is that it is traced back to one of the *Sahâba* who quoted it from Luqmân Al-Hakîm].

## Chapter 4
## CAUTIONING AGAINST THE MISCHIEVOUS CONDUCTS

**1277.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

ﷺ: «مَا مَلأَ ابْنُ آدَمَ وِعَاءً شَرًّا مِنْ بَطْنٍ». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ.

(١٢٧٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «كُلُّ بَنِي آدَمَ خَطَّاءٌ، وَخَيْرُ الْخَطَّائِينَ التَّوَّابُونَ». أَخْرَجَهُ التِّرْمِذِيُّ وَابْنُ مَاجَهْ، وَسَنَدُهُ قَوِيٌّ.

(١٢٧٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الصَّمْتُ حِكْمَةٌ، وَقَلِيلٌ فَاعِلُهُ». أَخْرَجَهُ الْبَيْهَقِيُّ فِي الشُّعَبِ بِسَنَدٍ ضَعِيفٍ. وَصَحَّحَ أَنَّهُ مَوْقُوفٌ مِنْ قَوْلِ لُقْمَانَ الْحَكِيمِ.

## ٤ - بَابُ التَّرْهِيبِ مِنْ مَسَاوِىءِ الأَخْلَاقِ

(١٢٧٧) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ

[1] This *Hadith* elaborates that extending one's requirements concerning food (i.e. developing extremely dainty and fastidious tastes regarding culinary delicacies) is very much despised. This forms the basis of many religious and worldly vices.

[2] This *Hadith* proves that all the human beings are sinful excluding the Messengers of Allâh عليهم السلام as they are an exception. Allâh does not become so much displeased with a man who commits a sin as much as He becomes pleased with the one who asks for His forgiveness. It is reported by Abû Huraira رضي الله عنه in *Sahih Muslim* that if the mankind stops asking Allâh's forgiveness after committing sins, Allâh will destroy this world and then inhabit therein a certain mankind who will repent and ask Allâh's forgiveness after committing sinful acts.

[3] Many *Ahâdith* have been reported to be comprising instructions in regard to abstinence from an idle gossip-mongering. A *Hadith* advises that a man either should make a decent and wise utterance, or keep quiet.

تَعالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ وَالْحَسَدَ، فَإِنَّ الْحَسَدَ يَأْكُلُ الْحَسَنَاتِ، كَمَا تَأْكُلُ النَّارُ الْحَطَبَ». أَخْرَجَهُ أَبُو دَاوُدَ، وَلابْنِ مَاجَهْ مِنْ حَدِيثِ أَنَسٍ نَحوه.

"Avoid envy,[1] for envy devours the good deeds just as fire devours firewood." [Abû Dâ'ud reported it]. Ibn Mâjah reported something similar to the aforesaid *Hadîth* from the *Hadîth* of Anas (رضي الله عنه).

(١٢٧٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لَيْسَ الشَّدِيدُ بِالصُّرَعَةِ، إِنَّمَا الشَّدِيدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الْغَضَبِ». مُتَّفَقٌ عَلَيْهِ.

**1278.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The strong man is not the good wrestler; but the strong man is he who controls himself when he is angry."[2] [Agreed upon].

(١٢٧٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الظُّلْمُ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ». مُتَّفَقٌ عَلَيْهِ.

**1279.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Oppression[3] will turn into darkness on the Day of Resurrection." [Agreed upon].

(١٢٨٠) وَعَنْ جَابِرٍ رَضِيَ اللَّهُ تَعالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «اتَّقُوا الظُّلْمَ، فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ. وَاتَّقُوا الشُّحَّ فَإِنَّهُ أَهْلَكَ مَنْ كَانَ قَبْلَكُمْ». أَخْرَجَهُ مُسْلِمٌ.

**1280.** Narrated Jâbir رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Beware of oppression, for oppression will turn into excessive darkness on the Day of Resurrection; and beware of niggardliness, for niggardliness destroyed your predecessors." [Muslim reported it].

---

[1] The Arabic word *Hasad* (envy, jealousy) implies that a person should become envious of another person's possessions and desire that he be deprived of them and at the same time aspires for those advantages for himself. This is forbidden. If a man desires something for himself but does not want another person to be deprived of it, such a feeling is called *Ghibta*. This feeling is very much desirable in religious matters. A nursing of this kind of feeling in one's worldly affairs is forgiven. We learn through this *Hadith* that jealousy is one of the major vices as the same nullifies the virtues. We should bear in mind that these are none but the major vices that nullify and destroy one's good deeds.

[2] This proves the excellence of the spirit of forgiveness and connivance to the effect that one should refrain from taking a retaliatory action when provoked by anger, and thus should learn to control himself.

[3] *Zulm* (oppression) means the concealment of truth by hiding it so that the truth becomes invisible. On the Day of Judgement, it will appear to be in the form of darkness. This *Hadîth* informs us that the oppression is forbidden whether it be on someone's life, honour or wealth.

**1281.** Narrated Mahmûd bin Labîd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The thing I fear most for you is the lesser *Shirk* (polytheism) — the showing-off[1] (of good deeds)." [Ahmad reported it with a good chain of narrators].

(١٢٨١) وَعَنْ مَحْمُودِ بْنِ لَبِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ أَخْوَفَ مَا أَخَافُ عَلَيْكُمُ الشِّرْكُ الأَصْغَرُ: الرِّيَاءُ». أَخْرَجَهُ أَحْمَدُ بِإِسْنَادٍ حَسَنٍ.

**1282.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There are three signs of a hypocrite;[2] when he speaks, he lies; when he makes a promise, he breaks it; and when he is trusted, he betrays his trust." [Agreed upon]. Al-Bukhâri and Muslim reported the *Hadîth* of 'Abdullâh bin 'Umar رضي الله عنهما with this addition: "and when he quarrels, he abuses."

(١٢٨٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «آيَةُ الْمُنَافِقِ ثَلَاثٌ، إِذَا حَدَّثَ كَذَبَ، وَإِذَا وَعَدَ أَخْلَفَ، وَإِذَا اؤْتُمِنَ خَانَ». مُتَّفَقٌ عَلَيْهِ. وَلَهُمَا مِنْ حَدِيثِ عَبْدِاللهِ بْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا: «وَإِذَا خَاصَمَ فَجَرَ».

**1283.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Reviling a Muslim is disobedience to Allâh, and fighting with him is *Kufr* [3](infidelity)." [Agreed upon].

(١٢٨٣) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «سِبَابُ الْمُسْلِمِ فُسُوقٌ، وَقِتَالُهُ كُفْرٌ». مُتَّفَقٌ عَلَيْهِ.

---

[1] *Riya'* (showing-off) is that a person carries out all the Divine injunctions and also abstains himself from committing any act of disobedience, but he does the same to appease someone else other than Allâh or for the purpose of acquiring any worldly target. This showing-off is of two kinds. The first one is that one should perform a good deed evincing it to the people. The second one is that if a person has done a good deed which the people do not know about, he should himself proclaim about it and make it known to the public. This kind of showing-off is called *Sum'a* and the former one *Riya'*. Both of these ones are forbidden.

[2] Hypocrisy is of two kinds: hypocrisy in action and hypocrisy in faith. Hypocrisy in action has already been mentioned in this *Hadîth*. The hypocrisy in faith is that a person should conceal disbelief in his heart but outwardly should feign to be a believer. The hypocrisy in faith is worst than disbelief itself. Hypocrisy in action is one of the major sinful acts which can be expected to be forgiven sometime.

[3] *Fisq* is that a man should fall into the disobedience of Allâh. For example, Allâh has forbidden a Muslim to use the words of abuse and so long as a Muslim defies Allâh's commands by calling someone names, he becomes a *Fâsiq* (a sinner). If someone deems the murder of a Muslim permissible and fights that very person in the name of Islâm, such a person is undoubtedly and unanimously declared and condemned to be a disbeliever. If

**1284.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Avoid suspicion,[1] for suspicion is the most false form of talk." [Agreed upon].

(١٢٨٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِيَّاكُمْ وَالظَّنَّ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ**». مُتَّفَقٌ عَلَيْهِ.

**1285.** Narrated Ma'qil bin Yasâr رضي الله عنه: I heard Allâh's Messenger صلى الله عليه وسلم saying, "Any governor in charge of Muslim subjects who dies while acting dishonestly towards them will be excluded by Allâh from Paradise."[2] [Agreed upon].

(١٢٨٥) وَعَنْ مَعْقِلِ بْنِ يَسَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «**مَا مِنْ عَبْدٍ يَسْتَرْعِيهِ اللَّهُ رَعِيَّةً يَمُوتُ يَوْمَ يَمُوتُ وَهُوَ غَاشٌّ لِرَعِيَّتِهِ إِلاَّ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ**». مُتَّفَقٌ عَلَيْهِ.

**1286.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "O Allâh, cause distress to him who has any charge over my people and causes them distress." [Muslim reported it].

(١٢٨٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْها قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ: مَنْ وَلِيَ مِنْ أَمْرِ أُمَّتِي شَيْئاً فَشَقَّ عَلَيْهِمْ فَاشْقُقْ عَلَيْهِ**». أَخْرَجَهُ مُسْلِمٌ.

**1287.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When any of you fights, he must avoid the face."[3] [Agreed upon].

(١٢٨٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**إِذَا قَاتَلَ أَحَدُكُمْ فَلْيَجْتَنِبِ الْوَجْهَ**». مُتَّفَقٌ عَلَيْهِ.

**1288.** Narrated (Abû Huraira) رضي الله عنه: A man said, "O Messenger of Allâh, advice me." He (صلى الله عليه وسلم)

(١٢٨٨) وَعَنْهُ، أَنَّ رَجُلاً قَالَ: يَا رَسُولَ اللَّهِ! أَوْصِنِي. قَالَ: «**لاَ تَغْضَبْ**».

---

these two things are not to be found in him, then the word *Kufr* (disbelief) may be applied on him metaphorically.

[1] *Zan* (suspicion) has been construed as a calumny by the scholars and calumny is one of the major sinful acts.

[2] This states that *Ghish* is one of major sinful acts because nothing forbids one to enter Paradise except the one who has committed a major sinful act. The rulers are hereby instructed that they must treat Muslims leniently. It warns that a great penalty awaits the tyrant rulers.

[3] This *Hadith* inculcates that while carrying out a prescribed punishment for a sinner, he should not be struck on the face.

said, "Do not get angry."[1] The man repeated that several times and he replied, "Do not get angry." [Al-Bukhâri reported it].

فَرَدَّدَ مِرَاراً، وَقَالَ: «لاَ تَغْضَبْ». أَخْرَجَهُ الْبُخَارِيُّ.

**1289.** Narrated Khaula Al-Ansâriya[2] رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Some men wrongfully acquire Allâh's Property[3] and they will go to Hell on the Day of Resurrection." [Al-Bukhâri reported it].

(١٢٨٩) وَعَنْ خَوْلَةَ الْأَنْصَارِيَّةِ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ رِجَالاً يَتَخَوَّضُونَ فِي مَالِ اللهِ بِغَيْرِ حَقٍّ، فَلَهُمُ النَّارُ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ الْبُخَارِيُّ.

**1290.** Narrated Abû Dhar رضي الله عنه quoted the Prophet صلى الله عليه وسلم saying among what he narrated from Allâh the Most High that He has said, "O My slaves, I have made oppression unlawful for Myself and I have made it unlawful among you, so do not oppress one another". [Muslim reported it].

(١٢٩٠) وَعَنْ أَبِي ذَرٍّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ، فِيمَا يَرْوِيهِ عَنْ رَبِّهِ، قَالَ: «يَا عِبَادِي! إِنِّي حَرَّمْتُ الظُّلْمَ عَلَى نَفْسِي، وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّماً، فَلاَ تَظَالَمُوا». أَخْرَجَهُ مُسْلِمٌ.

**1291.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم asked, "Do you know what is backbiting?" They replied, "Allâh and His Messenger know best." He said, "It is saying something about your brother which he dislikes." Someone asked, "Supposing that what I said about my brother was true?", and he replied, "If

(١٢٩١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ قَالَ: «أَتَدْرُونَ مَا الْغِيبَةُ؟» قَالُوا: اللَّهُ وَرَسُولُهُ أَعْلَمُ. قَالَ: «ذِكْرُكَ أَخَاكَ بِمَا يَكْرَهُ». قَالَ: أَفَرَأَيْتَ إِنْ كَانَ فِي أَخِي مَا أَقُولُ؟ قَالَ: «إِنْ كَانَ فِيهِ مَا تَقُولُ فَقَدِ اغْتَبْتَهُ، وَإِنْ لَمْ يَكُنْ فِيهِ فَقَدْ

[1] This *Hadîth* is an embodiment of the virtues in this world and the Hereafter. This is due to the fact that a man is deprived of the soft-heartiness as a result of anger on one hand, while on the other hand the people suffer from an unfair uneasiness and torture. This is a double-edge crime, which is both transitive and intransitive.

[2] Khaula, daughter of Thâmir Al-Ansâriya was nicknamed Umm Muhammad and her father was Qais bin Qahad, otherwise nicknamed Thâmir. She was from Banu Mâlik bin An-Najâr and was married to Hamza bin 'Abdul-Muttalib, and when he was killed at Uhud she was married by An-Nu'mân bin Al-'Ajlân Al-Ansâri Az-Zuraqi.

[3] This *Hadîth* bears an evidence that even a reigning caliph may not unfairly misappropriate the funds of *Bait-ul-Mâl* (a state treasury) as this too is a major sinful act.

what you say about him is true you have backbitten[1] him, and if it is not true you have said falsehood against him." [Muslim reported it].

بَهَتَّهُ». أَخْرَجَهُ مُسْلِمٌ.

**1292.** Narrated (Abû Huraira) رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Do not feel envy against one another, do not outbid one another (with a view to raising the price), do not bear aversion against one another, do not bear enmity against one another, one of you should not enter into a transaction when the other has already entered into it; and be fellow brothers and slaves of Allâh. A Muslim is a Muslim's brother. He does not wrong, desert, or despise him. Piety is found here - (pointing three times to his chest) - despising his Muslim brother is enough evil for any man to do. Every Muslim's blood, property, and honour are unlawful[2] to be violated by another Muslim." [Muslim reported it].

(١٢٩٢) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «لاَ تَحَاسَدُوا، وَلاَ تَنَاجَشُوا، وَلاَ تَبَاغَضُوا، وَلاَ تَدَابَرُوا. وَلاَ يَبِعْ بَعْضُكُمْ عَلَى بيعِ بَعْضٍ، وَكُونُوا عِبَادَ اللهِ إِخْوَاناً، الْمُسْلِمُ أَخُو الْمُسْلِمِ، لاَ يَظْلِمُهُ وَلاَ يَخْذُلُهُ، وَلاَ يَحْقِرُهُ، التَّقْوَى هٰهُنَا»، وَيُشِيرُ إِلَى صَدْرِهِ، ثَلاَثَ مَرَّاتٍ، «بِحَسْبِ امْرِىءٍ مِنَ الشَّرِّ أَنْ يَحْقِرَ أَخَاهُ الْمُسْلِمَ، كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ دَمُهُ وَمَالُهُ وَعِرْضُهُ». أَخْرَجَهُ مُسْلِمٌ.

**1293.** Narrated Qutba bin Mâlik[3] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم used to say, "O Allâh, I seek refuge in You from objectionable characteristics, deeds, passions and diseases." [At-Tirmidhi reported it; Al-Hâkim graded it *Sahih* (sound), and the version is his].

(١٢٩٣) وَعَنْ قُطْبَةَ بْنِ مَالِكٍ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ جَنِّبْنِي مُنْكَرَاتِ الأَخْلاَقِ، وَالأَعْمَالِ، وَالأَهْوَاءِ، وَالأَدْوَاءِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ الْحَاكِمُ وَاللَّفْظُ لَهُ.

---

[1] This *Hadith* has been reported by many of the Companions of the Prophet صلى الله عليه وسلم and it has been narrated in different ways. There is a common consensus that the backbiting is forbidden and the majority of the scholars observe it to be one of the major vices.

[2] We learn through this *Hadith* that it is forbidden for a Muslim to bear a grudge against another Muslim.

[3] He was a *Sahâbi* from Banu Tha'laba bin Sa'd bin Dhubyân, also called Adh-Dhubyâni. He was a resident of Kufa and has narrated some *Ahadith* narrated from him by his nephew Ziyâd bin 'Alâqa.

**1294.** Narrated Ibn 'Abbâs رضى الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Don't dispute with your brother; don't make jokes with him; and don't make him a promise which you would break." [At-Tirmidhi reported it with a weak chain of narrators].

(١٢٩٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لاَ تُمَارِ أَخَاكَ، وَلاَ تُمَازِحْهُ، وَلاَ تَعِدْهُ مَوْعِداً فَتُخْلِفَهُ»**. أَخْرَجَهُ التِّرْمِذِيُّ بِسَنَدٍ ضَعِيفٍ.

**1295.** Narrated Abû Sa'îd Al-Khudri رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "There are two characteristics which are not combined in a believer; miserliness and a bad character." [At-Tirmidhi reported it and there is weakness in its chain of narrators].

(١٢٩٥) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«خَصْلَتَانِ لاَ تَجْتَمِعَانِ فِي مُؤْمِنٍ: الْبُخْلُ وَسُوءُ الْخُلُقِ»**. أَخْرَجَهُ التِّرْمِذِيُّ، وَفِي سَنَدِهِ ضَعْفٌ.

**1296.** Narrated Abû Huraira رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "When two men revile one another what they say is laid to the charge of the one who began it, so long as the one who is wronged does not outscore."[1] [Muslim reported it].

(١٢٩٦) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«الْمُسْتَبَّانِ مَا قَالاَ فَعَلَى الْبَادِىءِ، مَا لَمْ يَعْتَدِ الْمَظْلُومُ»**. أَخْرَجَهُ مُسْلِمٌ.

**1297.** Narrated Abû Sirma[2] رضى الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "He who causes harm to a Muslim will be harmed by Allâh,[3] and he who acts in a hostile manner against a Muslim, will be treated in a hostile manner by Allâh." [Abû Dâ'ud and At-Tirmidhi reported it, and the latter graded it *Hasan*].

(١٢٩٧) وَعَنْ أَبِي صِرْمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ ضَارَّ مُسْلِماً ضَارَّهُ اللَّهُ، وَمَنْ شَاقَّ مُسْلِماً شَاقَّ اللَّهُ عَلَيْهِ»**. أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَحَسَّنَهُ.

---

[1] This *Hadîth* clarifies two things. The first is that the act of avenging oneself on someone who has committed an inequity, is fair and permissible. Secondly, the whole sin shall be incurred by the one who precipitates a quarrel and perpetrates it as long as another party does not exceed limits by committing an aggression. But despite all of it, it is a lot better to grant one's forgiveness to such evildoers.

[2] He is Mâlik bin Qais or Qais bin Mâlik and was a *Sahâbi* from the tribe of Mâzin. He took part in Badr and the rest of the other battles and has narrated some *Ahadîth*.

[3] This *Hadîth* bears a warning against giving or causing an inconvenience to a Muslim even though the same happens to be of a very minor nature.

**1298.** Narrated Abû Ad-Dardâ'[1] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh hates the profligate and the obscene." [At-Tirmidhi reported and graded it *Sahih* (sound)].

(١٢٩٨) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِنَّ اللَّهَ يَبْغَضُ الْفَاحِشَ الْبَذِيءَ**». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

**1299.** At-Tirmidhi reported this *Hadîth* from the narration of Ibn Mas'ûd رضي الله عنه who narrated (the Prophet صلى الله عليه وسلم as saying): "A believer is not given to accusing others or cursing them,[2] nor is he immoral or shameless." [At-Tirmidhi graded it *Hasan*; Al-Hâkim graded it *Sahih* (sound), but Ad-Dâraqutni preponderated it as *Mawqûf* (untraceable)].

(١٢٩٩) وَلَهُ مِنْ حَدِيثِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ - رَفَعَهُ -: «**لَيْسَ الْمُؤْمِنُ بِالطَّعَّانِ، وَلاَ اللَّعَّانِ، وَلاَ الْفَاحِشِ، وَلاَ الْبَذِيءِ**». وَحَسَّنَهُ، وَصَحَّحَهُ الْحَاكِمُ، وَرَجَّحَ الدَّارَقُطْنِيُّ وَقْفَهُ.

**1300.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Do not revile the dead,[3] for they have come to what they have sent before them." [Al-Bukhâri reported it].

(١٣٠٠) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**لاَ تَسُبُّوا الأَمْوَاتَ، فَإِنَّهُمْ قَدْ أَفْضَوْا إِلَى مَا قَدَّمُوا**». أَخْرَجَهُ الْبُخَارِيُّ.

**1301.** Narrated Hudhaifa رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A backbiter will not enter Paradise."[4] [Agreed upon].

(١٣٠١) وَعَنْ حُذَيْفَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**لاَ يَدْخُلُ الْجَنَّةَ قَتَّاتٌ**». مُتَّفَقٌ عَلَيْهِ.

---

[1] Abû Ad-Dardâ' was called 'Uwaimir bin Zaid or Ibn 'Aamir or Ibn Mâlik bin 'Abdullâh bin Qais. He was an *Ansâri* from Al-Khazraj tribe. He was among the greatest and most ascetic *Sahâba*. He became a Muslim on the day of the battle of Badr and took part in Uhud. 'Umar رضي الله عنه included him among those who took part in Badr. He compiled the Qur'ân and was appointed as the *Qâdi* of Damascus. He has many merits and was quoted to have said, "A fame of one hour could cause a long sadness." He died in 32 H.

[2] This *Hadîth* clarifies that it is not the act of a Muslim to call someone names or cursing somebody. It is, however, permissible to curse someone who has been cursed by Allâh and His Messenger (صلى الله عليه وسلم). It is not permissible to curse any other specified person other than that.

[3] It thus becomes known to us that the act of calling a dead person name is forbidden.

[4] Hâfiz Mundhiri observes that according to a common consensus of the scholars of *Ummah*, the practice of backbiting is forbidden. This is one of the major sinful acts.

**1302.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If one restrained his anger, Allâh will keep His punishment from him (on the Day of Resurrection)." [At-Tabarâni reported it in *Al-Awsat*]. The aforesaid *Hadîth* is supported by that of Ibn 'Umar (رضي الله عنهما), reported by Ibn Abû Ad-Dunya.

(١٣٠٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ كَفَّ غَضَبَهُ كَفَّ اللَّهُ عَنْهُ عَذَابَهُ»**. أَخْرَجَهُ الطَّبَرَانِيُّ فِي الْأَوْسَطِ. وَلَهُ شَاهِدٌ مِنْ حَدِيثِ ابْنِ عُمَرَ عِنْدَ ابْنِ أَبِي الدُّنْيَا.

**1303.** Narrated Abû Bakr As-Siddiq رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A crafty person, a niggard, and one who treats badly those under his authority will not enter Paradise." [At-Tirmidhi reported it in two separated *Ahadîth*, and there is weakness in its chain of narrators].

(١٣٠٣) وَعَنْ أَبِي بَكْرٍ الصِّدِّيقِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«لَا يَدْخُلُ الْجَنَّةَ خَبٌّ، وَلَا بَخِيلٌ، وَلَا سَيِّءُ الْمَلَكَةِ»**. أَخْرَجَهُ التِّرْمِذِيُّ، وَفَرَّقَهُ حَدِيثَيْنِ، وَفِي إِسْنَادِهِ ضَعْفٌ.

**1304.** Narrated Ibn 'Abbâs رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "If anyone listened to the talk of some people, when they do not like him to do that, then molten lead will be poured into his ears on the Day of Resurrection." [Al-Bukhâri reported it].

(١٣٠٤) وَعَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ تَسَمَّعَ حَدِيثَ قَوْمٍ، وَهُمْ لَهُ كَارِهُونَ، صُبَّ فِي أُذُنَيْهِ الْآنُكُ يَوْمَ الْقِيَامَةِ»**. يَعْنِي الرَّصَاصَ. أَخْرَجَهُ الْبُخَارِيُّ.

**1305.** Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Blessed is he who is preoccupied with his defects rather than those of the other people." [Al-Bazzâr reported it with a good chain of narrators].

(١٣٠٥) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«طُوبَى لِمَنْ شَغَلَهُ عَيْبُهُ عَنْ عُيُوبِ النَّاسِ»**. أَخْرَجَهُ الْبَزَّارُ بِإِسْنَادٍ حَسَنٍ.

**1306.** Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Whoever exalts himself and walks proudly; Allâh will be angry with him when he meets Him (on the Day of

(١٣٠٦) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: **«مَنْ تَعَاظَمَ فِي نَفْسِهِ، وَاخْتَالَ فِي مِشْيَتِهِ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضْبَانُ»**. أَخْرَجَهُ الْحَاكِمُ، وَرِجَالُهُ

Resurrection)"[1]. [Al-Hâkim reported it, and its narrators are reliable].

ثِقَاتٌ.

**1307.** Narrated Sahl bin Sa'd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Haste comes from Satan." [At-Tirmidhi reported it and said it is *Hasan*].

(١٣٠٧) وَعَنْ سَهْلِ بْنِ سَعْدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**الْعَجَلَةُ مِنَ الشَّيْطَانِ**». أَخْرَجَهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

**1308.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "Pessimism is part of bad character."[2] [Ahmad reported it, but there is weakness in its chain of narrators].

(١٣٠٨) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**الشُّؤْمُ سُوءُ الْخُلُقِ**». أَخْرَجَهُ أَحْمَدُ، وَفِي إِسْنَادِهِ ضَعْفٌ.

**1309.** Narrated Abû Ad-Dardâ' رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Men accustomed to cursing will not be intercessors or witnesses on the Day of Resurrection." [Muslim reported it].

(١٣٠٩) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**إِنَّ اللَّعَّانِينَ لَا يَكُونُونَ شُفَعَاءَ وَلَا شُهَدَاءَ يَوْمَ الْقِيَامَةِ**». أَخْرَجَهُ مُسْلِمٌ.

**1310.** Narrated Mu'âdh bin Jabal رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If anyone disgraces his brother for a sin, he will not die before committing it himself."[3]

(١٣١٠) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**مَنْ عَيَّرَ أَخَاهُ بِذَنْبٍ، لَمْ يَمُتْ حَتَّى يَعْمَلَهُ**». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ، وَسَنَدُهُ مُنْقَطِعٌ.

---

[1] This *Hadîth* informs us that proudness is forbidden and is considered to be a major sinful act. It is reported by At-Tirmidhi that the one who has even an iota of proudness in his heart, shall not enter Paradise.

[2] Each trial and calamity that befalls a human being is caused by his own uncouth and uncivilized behaviour, which further goes to prove that good and bad manners are the habits which are fostered and cultivated by a man himself.

[3] It thus gets known to us that merely making a mention of a vice is a sinful act. It is a sin to mention a vice by attributing it to someone, but it is a double sinful act to mention it directly in front of someone in order to rake his memory deliberately to put him to shame. *Hadîth* states that one should not remind anyone of his sin as a rejoinder to his statement.

[At-Tirmidhi reported it saying it is a *Hasan Hadîth*, but a *Munqati* ].

**1311.** Bahz bin Hakim, on his father's authority, that his grandfather رضي الله عنه narrated Allâh's Messenger صلى الله عليه وسلم say, "Woe to him! Who lies in his talk to make the people laugh,[1] Woe to him!, Woe to him!" [*Ath-Thalâtha* reported it and its chain of narrators is strong].

(١٣١١) وَعَنْ بَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**وَيْلٌ لِلَّذِي يُحَدِّثُ فَيَكْذِبُ لِيُضْحِكَ بِهِ الْقَوْمَ، وَيْلٌ لَهُ، ثُمَّ وَيْلٌ لَهُ**». أَخْرَجَهُ الثَّلَاثَةُ، وَإِسْنَادُهُ قَوِيٌّ.

**1312.** Narrated Anas رضي الله عنه: The Prophet صلى الله عليه وسلم said, "The atonement of backbiting a man is to ask Allâh to forgive him."[2] [Al-Hârith bin Abû Usâma reported it with a weak chain of narrators].

(١٣١٢) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «**كَفَّارَةُ مَنِ اغْتَبْتَهُ أَنْ تَسْتَغْفِرَ لَهُ**». رَوَاهُ الْحَارِثُ بْنُ أَبِي أُسَامَةَ بِإِسْنَادٍ ضَعِيفٍ.

**1313.** Narrated 'Aisha رضي الله عنها: Allâh's Messenger صلى الله عليه وسلم said, "The most despicable amongst people to Allâh is the ruthless argumentative (person)." [Muslim reported it].

(١٣١٣) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ رَسُولُ اللهِ ﷺ: «**أَبْغَضُ الرِّجَالِ إِلَى اللهِ الأَلَدُّ الْخَصِمُ**». أَخْرَجَهُ مُسْلِمٌ.

## Chapter 5
## EXHORTATION TO GOOD CHARACTERS

## ٥ - بَابُ التَّرْغِيبِ فِي مَكَارِمِ الْأَخْلَاقِ

**1314.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Adhere (you people) to truth, for truth leads to good deeds and good deeds leads to Paradise, and if a man continues to speak the truth and makes truth his object he will be

(١٣١٤) عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «**عَلَيْكُمْ بِالصِّدْقِ، فَإِنَّ الصِّدْقَ يَهْدِي إِلَى الْبِرِّ، وَإِنَّ الْبِرَّ يَهْدِي إِلَى الْجَنَّةِ، وَمَا يَزَالُ الرَّجُلُ يَصْدُقُ، وَيَتَحَرَّى الصِّدْقَ حَتَّى يُكْتَبَ عِنْدَ**

[1] Telling a lie is one of the major sinful acts and one of the characteristics of a hypocrite. A lie which neither pays someone in terms of worldly gains nor the Hereafter, is the worst kind of lie.

[2] The atonement for backbiting is that if someone backbites another person, he must apologise that very person and ask his forgiveness. In case he could not find that person, one must pray his sins to be forgiven.

recorded as truthful before Allah. Avoid (you people) falsehood, for falsehood leads to wickedness and wickedness leads to Hell, and if a man continues to speak falsehood and makes falsehood his object he will be recorded as a liar before Allah." [Agreed upon].

اللهِ صِدِّيقاً، وَإِيَّاكُمْ وَالْكَذِبَ، فَإِنَّ الْكَذِبَ يَهْدِي إِلَى الْفُجُورِ، وإِن الْفُجُورَ يَهْدِي إِلَى النَّارِ، وَمَا يَزَالُ الرَّجُلُ يَكْذِبُ، وَيَتَحَرَّى الْكَذِبَ حَتَّى يُكْتَبَ عِنْدَ اللهِ كَذَّاباً». مُتَّفَقٌ عَلَيْهِ.

**1315.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Avoid (you people) suspicion for suspicion is the most lying form of talk." [Agreed upon].

(١٣١٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «إِيَّاكُمْ وَالظَّنَّ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ». مُتَّفَقٌ عَلَيْهِ.

**1316.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Avoid sitting by the road side."[1] They (the *Sahâba*) asked, "O Allâh's Messenger, we cannot do without those meeting places in which we converse," so he said, "Well, if you insist (on that) give the road its dues." They asked, "What are the road's dues?" He replied, "Lowering the eyes, abstaining from anything offensive, returning salutations, enjoining righteousness and forbidding from evil deeds." [Agreed upon].

(١٣١٦) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِيَّاكُمْ وَالْجُلُوسَ بِالطُّرُقَاتِ»، قَالُوا: يَا رَسُولَ اللهِ! مَا لَنَا بُدٌّ مِّنْ مَجَالِسِنَا، نَتَحَدَّثُ فِيهَا، قَالَ: «فَأَمَّا إِذَا أَبَيْتُمْ فَأَعْطُوا الطَّرِيقَ حَقَّهُ»، قَالُوا: وَمَا حَقُّهُ؟ قَالَ: «غَضُّ الْبَصَرِ، وَكَفُّ الأَذَى، وَرَدُّ السَّلَامِ، وَالأَمْرُ بِالْمَعْرُوفِ، وَالنَّهْيُ عَنِ الْمُنْكَرِ». مُتَّفَقٌ عَلَيْهِ.

**1317.** Narrated Mu'âwiya رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(١٣١٧) وَعَنْ مُعَاوِيَةَ رَضِيَ اللَّهُ تَعَالَى

[1] Five obligations of being on the paths have been mentioned here. *Ahâdith* contain some other obligations as well, namely, giving directions to a wayfarer and responding to someone who sneezes, etc., which are about fourteen obligations. In Arabic, *Ghadd-ul-Basar* implies that one should keep one's eye downcast by avoiding staring at women and looking at other forbidden things.

"When Allâh wishes good for anyone, He gives him the understanding of the religion."[1] [Agreed upon].

عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ يُرِدِ اللهُ بِهِ خَيْراً يُفَقِّهْهُ فِي الدِّينِ». مُتَّفَقٌ عَلَيْهِ.

**1318.** Narrated Abû Ad-Dardâ رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The heaviest thing which will be put on the believer's scale (on the Day of Resurrection) will be good character." [Abû Dâ'ud and At-Tirmidhi reported it, the latter graded it *Sahih* (sound)].

(١٣١٨) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا مِنْ شَيْءٍ فِي الْمِيزَانِ أَثْقَلُ مِنْ حُسْنِ الْخُلُقِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ.

**1319.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "Bashfulness is part of Faith."[2] [Agreed upon].

(١٣١٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْحَيَاءُ مِنَ الْإِيمَانِ». مُتَّفَقٌ عَلَيْهِ.

**1320.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "One of the things people have learned from the words of the earliest prophecy is, 'If you don't feel any shame, do whatever you like.' "[3] [Al-Bukhâri reported it].

(١٣٢٠) وَعَنْ أَبِي مَسْعُودٍ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ مِمَّا أَدْرَكَ النَّاسُ مِنْ كَلَامِ النُّبُوَّةِ الْأُولَى: إِذَا لَمْ تَسْتَحِ فَاصْنَعْ مَا شِئْتَ». أَخْرَجَهُ الْبُخَارِيُّ.

**1321.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The strong believer is better and

(١٣٢١) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْمُؤْمِنُ

[1] The knowledge of the lawful and unlawful matters as well as the Islâmic rules is called *Fiqh*. This signifies the greatness of *Fiqh*. It does not allude to the burgeoning abundance of the present day dissension comparable to a maze, difficult to get out from, for an ordinary person.

[2] This *Hadith* implies that modesty and nobility help a person avoid committing a sinful act. It makes a person think about his reputation which might be at stake in case his sinful act gains publicity. In other words, the non-occurrence of vices was due to the modesty, which is one of the constituents forming Islâm. This is why this special branch of Faith has been mentioned here.

[3] Even though the previous theological systems of jurisdiction (revealed upon the earlier Prophets) have all been nullified, but the element of modesty, which is one of the contents of all the previous systems, has not been cancelled. Modesty is the only deterrent, which if taken out from a human being, shall allow his conscience to go berserk and do whatever he likes.

dearer to Allâh[1] than the weak believer, and all of them have goodness. Be keen on what benefits you and seek help in Allâh, and do not give up. If anything afflicts you do not say, 'If I had done such and such thing, such and such would have happened,' but say, 'Allâh decrees, and what He wills He does,' for (the utterance) 'If I had' provides an opening for the deeds of the devil." [Muslim reported it].

الْقَوِيُّ خَيْرٌ وَأَحَبُّ إِلَى اللهِ مِنَ الْمُؤْمِنِ الضَّعِيفِ، وَفِي كُلٍّ خَيْرٌ، احْرِصْ عَلَى مَا يَنْفَعُكَ، وَاسْتَعِنْ بِاللهِ، وَلَا تَعْجِزْ، وَإِنْ أَصَابَكَ شَيْءٌ فَلَا تَقُلْ: لَوْ أَنِّي فَعَلْتُ كَذَا كَانَ كَذَا وَكَذَا، وَلَكِنْ قُلْ: قَدَّرَ اللهُ، وَمَا شَاءَ فَعَلَ، فَإِنَّ «لَوْ» تَفْتَحُ عَمَلَ الشَّيْطَانِ». أَخْرَجَهُ مُسْلِمٌ.

**1322.** Narrated 'Iyâd bin Himâr رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh the Most High has revealed to me that you (people) should be humble, so that no one transgresses another, or boasts to the other."[2] [Muslim reported it].

(١٣٢٢) وَعَنْ عِيَاضِ بْنِ حِمَارٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ اللَّهَ تَعَالَى أَوْحَى إِلَيَّ أَنْ تَوَاضَعُوا، حَتَّى لَا يَبْغِيَ أَحَدٌ عَلَى أَحَدٍ، وَلَا يَفْخَرَ أَحَدٌ عَلَى أَحَدٍ». أَخْرَجَهُ مُسْلِمٌ.

**1323.** Narrated Abû Ad-Dardâ' رضي الله عنه: The Prophet صلى الله عليه وسلم said, "If a Muslim defends his brother's honour in his absence,[3] Allâh will protect his face from the fire of Hell on the Day of Resurrection." [At-Tirmidhi reported it, and graded it *Hasan* (fair) Ahmad has something similar from the *Hadîth* of Asmâ',[4] daughter of Yazid].

(١٣٢٣) وَعَنْ أَبِي الدَّرْدَاءِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ رَدَّ عَنْ عِرْضِ أَخِيهِ بِالْغَيْبِ رَدَّ اللَّهُ عَنْ وَجْهِهِ النَّارَ يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَحَسَّنَهُ، وَلِأَحْمَدَ مِنْ حَدِيثِ أَسْمَاءَ بِنْتِ يَزِيدَ نَحْوُهُ.

[1] What is meant by a strong believer? This does not allude to one's physically robust health, but it only points out to one's strength of will-power in relation to his doing of virtuous acts for the betterment of the Hereafter.

[2] It is reported in a *Hadîth* that the Prophet صلى الله عليه وسلم stated that the rebellion and proudness are the worst criminal acts that are punishable in this world as well as in the Hereafter. Now we may guess that the lack of humbleness fosters and breeds both of these two vices.

[3] If someone backbites a third person before somebody, the listener must stop him therewith, and if possible, should inculcate upon him his virtuous deeds and qualities instead.

[4] She is Asmâ', daughter of Yazid bin As-Sakan Al-Ashhaliya. She was the spokesperson of the women. She participated in the battle of Yarmûk and killed nine people with a pole on that day.

**1324.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "*Sadaqa* does not reduce property, Allâh increases the honour of him who forgives and no one will humble himself for Allâh's sake without Allâh raising him up."[1] [Muslim reported it].

(١٣٢٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا نَقَصَتْ صَدَقَةٌ مِنْ مَالٍ، وَمَا زَادَ اللَّهُ عَبْداً بِعَفْوٍ إِلَّا عِزّاً، وَمَا تَوَاضَعَ أَحَدٌ لِلَّهِ إِلَّا رَفَعَهُ اللَّهُ تَعَالَى». أَخْرَجَهُ مُسْلِمٌ.

**1325.** Narrated 'Abdullâh bin Salâm رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "O people extend greetings, care for the well-being of your kindred, provide food, and pray at night when people are asleep and you will enter Paradise in peace." [At-Tirmidhi reported it and graded it *Sahih* (sound)].

(١٣٢٥) وَعَنْ عَبْدِ اللهِ بْنِ سَلَامٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «يَا أَيُّهَا النَّاسُ! أَفْشُوا السَّلَامَ، وَصِلُوا الْأَرْحَامَ، وَأَطْعِمُوا الطَّعَامَ، وَصَلُّوا بِاللَّيْلِ، وَالنَّاسُ نِيَامٌ، تَدْخُلُوا الْجَنَّةَ بِسَلَامٍ». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ.

**1326.** Narrated Tamim Ad-Dâri[2] رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said three times, "The religion is sincerity."[3] He was asked to whom it should be directed and he replied, "To Allâh, His Book, His Messenger, the

(١٣٢٦) وَعَنْ تَمِيمٍ الدَّارِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الدِّينُ النَّصِيحَةُ»، ثَلَاثاً، قُلْنَا: لِمَنْ هِيَ يَا رَسُولَ اللهِ؟ قَالَ: «لِلَّهِ، وَلِكِتَابِهِ وَلِرَسُولِهِ، وَلِأَئِمَّةِ

[1] The three qualities which have been mentioned in this *Hadith* have been named as 'the root of politeness and good disposition'. It teaches charity, forgiveness and humbleness.

[2] He is Abû Ruqaiya, Tamim bin Aus bin Khârija Ad-Dâri. He became a Muslim in the year 9 H. and settled at Bait-ul-Maqdis (Jerusalem). Ibn Sirin said that he compiled the Qur'ân and used to recite it all in a single night. He died in 40 H.

[3] This *Hadîth* should be reckoned as the pivotal base of Islâm. It needs to be expatiated at length for which we do not have enough room here. Allâh's well-wishing is that one should have faith in Allâh, should not associate partners with Him and obey His injunctions. The well-wishing of the Book is that whatever has been mentioned therein as permissible, one should think of it as permissible; and whatever it indicates as forbidden, one should likewise regard it to be as such. One should comply with its instructions and refrain from all what it forbids. The well-wishing of the Prophet صلى الله عليه وسلم is to testify his Prophethood and to follow his *Sunna*. The well-wishing of the Muslim rulers is to owe an allegiance to them and to render them all kind of assistance. The well-wishing of ordinary Muslims is that the things concerning their prosperity and moral development should be explained to them and they should not be subjected to any inconvenience.

leaders, and all the Muslims." [Muslim reported it].

الْمُسْلِمِينَ وَعَامَّتِهِمْ». أَخْرَجَهُ مُسْلِمٌ.

**1327.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The fear of Allâh and good character[1] are the major things which lead to Paradise." [At-Tirmidhi reported it, and Al-Hâkim graded it *Sahih* (sound)].

(١٣٢٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَكْثَرُ مَا يُدْخِلُ الْجَنَّةَ تَقْوَى اللهِ وَحُسْنُ الْخُلُقِ». أَخْرَجَهُ التِّرْمِذِيُّ وَصَحَّحَهُ الْحَاكِمُ.

**1328.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "You (people) can not satisfy people with your wealth, but satisfy them with your cheerful faces and good character." [Abû Ya'la reported it and Al-Hâkim graded it *Sahih* (sound)].

(١٣٢٨) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّكُمْ لَا تَسَعُونَ النَّاسَ بِأَمْوَالِكُمْ، وَلَكِنْ لِيَسَعْهُمْ مِنْكُمْ بَسْطُ الْوَجْهِ وَحُسْنُ الْخُلُقِ». أَخْرَجَهُ أَبُو يَعْلَى وَصَحَّحَهُ الْحَاكِمُ.

**1329.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Every believer is the mirror[2] of his brother." [Abû Dâ'ud reported it with a good chain of narrators].

(١٣٢٩) وَعَنْهُ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْمُؤْمِنُ مِرْآةُ أَخِيهِ الْمُؤْمِنِ». أَخْرَجَهُ أَبُو دَاوُدَ بِإِسْنَادٍ حَسَنٍ.

**1330.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم said, "A believer who mixes with people and endures their nuisance is better than the one who does not mix with them and endures not their nuisance." [Ibn Mâjah reported it with a good chain of narrators. At-Tirmidhi reported this *Hadîth* but he did not mention the name of the Companion].

(١٣٣٠) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْمُؤْمِنُ الَّذِي يُخَالِطُ النَّاسَ وَيَصْبِرُ عَلَى أَذَاهُمْ خَيْرٌ مِنَ الَّذِي لَا يُخَالِطُ النَّاسَ وَلَا يَصْبِرُ عَلَى أَذَاهُمْ». أَخْرَجَهُ ابْنُ مَاجَهْ بِإِسْنَادٍ حَسَنٍ، وَهُوَ عِنْدَ التِّرْمِذِيِّ، إِلَّا أَنَّهُ لَمْ يُسَمِّ الصَّحَابِيَّ.

---

[1] Decency in manners is just another name for maintaining a cheerful appearance while interacting with someone. The Arabic word *Taqwa* stands for one's compliance with the Divine injunctions and abstaining oneself from transgressing His interdictions.

[2] One learns about his own fairness or ugliness by looking at oneself in a mirror. Similarly a Muslim should apprise another Muslim of his shortcomings so that he may become a beloved of Allâh and people by getting rid of them. It means that these matters include the welfare of the ordinary people in general.

**1331.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "O Allâh as You have made my form beautiful so make my character beautiful." [Reported by Ahmad and Ibn Hibbân graded it *Sahih* (sound)].

(١٣٣١) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**اللَّهُمَّ كَمَا حَسَّنْتَ خَلْقِي، فَحَسِّنْ خُلُقِي**». رَوَاهُ أَحْمَدُ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

## Chapter 6 REMEMBRANCE OF ALLAH AND SUPPLICATIONS

## ٦ - بَابُ الذِّكْرِ وَالدُّعَاءِ

**1332.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Allâh the Most High says: 'I am with My slave[1] when he remembers Me and his lips move with My mention.' " [Ibn Mâjah reported it, Ibn Hibbân graded it *Sahih* (sound) and Al-Bukhâri mentioned it without a full chain of narrators].

(١٣٣٢) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**يَقُولُ اللَّهُ تَعَالَى: أَنَا مَعَ عَبْدِي مَا ذَكَرَنِي وَتَحَرَّكَتْ بِي شَفَتَاهُ**». أَخْرَجَهُ ابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ، وَذَكَرَهُ الْبُخَارِيُّ تَعْلِيقاً.

**1333.** Narrated Mu'âdh bin Jâbal رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A man does nothing more calculated to rescue him from Allâh's punishment than making mention of Allâh." [Ibn Abû Shaiba and At-Tabarâni reported it with a *Hasan* chain of narrators].

(١٣٣٣) وَعَنْ مُعَاذِ بْنِ جَبَلٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا عَمِلَ ابْنُ آدَمَ عَمَلاً أَنْجَى لَهُ مِنْ عَذَابِ اللَّهِ مِنْ ذِكْرِ اللَّهِ**». أَخْرَجَهُ ابْنُ أَبِي شَيْبَةَ وَالطَّبَرَانِيُّ بِإِسْنَادٍ حَسَنٍ.

**1334.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "People will not sit in an assembly in which they remember Allâh without the angels surrounding them,[2] mercy covering them, and Allâh mentioning

(١٣٣٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «**مَا جَلَسَ قَوْمٌ مَجْلِساً يَذْكُرُونَ اللَّهَ فِيهِ إِلاَّ حَفَّتْهُمُ الْمَلاَئِكَةُ، وَغَشِيَتْهُمُ الرَّحْمَةُ،**

[1] Its purported meaning is that Allâh proclaims His existing with His slave by dint of His Knowledge of everything and Omnipotence rather than being with him by manifesting Himself on the physical plane. The fact is that He is Himself raised over Mighty Throne.

[2] We learn through this *Hadîth* that the remembrance of Allâh is also observed by sitting collectively (in a congregational form). It is not necessary to observe remembrance of Allâh in solitude only. It further brings it to our knowledge that some of Allâh's angels are also the ones who roam the streets and attend the gatherings where Allâh's remembrance is being observed.

them among those who are with Him." [Muslim reported it].

وَذَكَرَهُمُ اللَّهُ فِيمَنْ عِنْدَهُ». أَخْرَجَهُ مُسْلِمٌ.

**1335.** Narrated (Abû Huraira) رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "If people sit in an assembly in which they do not remember Allâh or invoke blessings on the Prophet صلى الله عليه وسلم,[1] it will be a cause of grief to them on the Day of Resurrection." [At-Tirmidhi reported it and said that it is a *Hasan* (fair) *Hadîth*].

(١٣٣٥) وَعَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَا قَعَدَ قَوْمٌ مَقْعَداً لَمْ يَذْكُرُوا اللَّهَ فِيهِ، وَلَمْ يُصَلُّوا عَلَى النَّبِيِّ ﷺ إِلاَّ كَانَ عَلَيْهِمْ حَسْرَةً يَوْمَ الْقِيَامَةِ». أَخْرَجَهُ التِّرْمِذِيُّ، وَقَالَ: حَسَنٌ.

**1336.** Narrated Abû Ayûb Al-Ansâri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever says ten times: 'There is no God but Allâh Alone Who has no partner, to Whom dominion belongs, to Whom praise is due, Who is Omnipotent' will have a reward equivalent to that for emancipating four of the descendants of Ismâ'il (Ishmael) from slavery."[2] [Agreed upon].

(١٣٣٦) وَعَنْ أَبِي أَيُّوبَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَالَ: لاَ إِلَهَ إِلاَّ اللَّهُ، وَحْدَهُ، لاَ شَرِيكَ لَهُ، لَهُ الْمُلْكُ، وَلَهُ الْحَمْدُ، بِيَدِهِ الْخَيْرُ، يُحْيِي وَيُمِيتُ، وَهُوَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ، عَشْرَ مَرَّاتٍ، كَانَ كَمَنْ أَعْتَقَ أَرْبَعَةَ أَنْفُسٍ مِنْ وَلَدِ إِسْمَاعِيلَ». مُتَّفَقٌ عَلَيْهِ.

**1337.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Whoever says a hundred times in a day: 'Glory is to Allâh, and praise is

(١٣٣٧) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «مَنْ قَالَ: سُبْحَانَ اللَّهِ وَبِحَمْدِهِ، مِائَةَ مَرَّةٍ، حُطَّتْ

---

[1] Another *Hadîth* states, "I may forgive them if I so chose, and I can punish them if I wish to". These words denote that the remembrance of Allâh and sending peace and blessing on the Prophet صلى الله عليه وسلم are compulsory, as the avoidance of what is compulsory only involves a threat of perdition.

[2] We should know that this *Hadîth* as well as the other *Ahâdîth* comprise such wordings to the effect that whosoever does such and such thing, shall acquire such and such reward or his all sins shall be forgiven. In regard to their purported meanings, there is a difference of opinions among the scholars. Some maintain that the reward shall be given to the one who always does it, whereas others observe that the condition of perpetuity is not there, but its doer however, must abstain himself from committing any of the major sinful acts, which means that this good deed shall make only the minor sins forgiven and not the major ones. Other scholars are of the opinion that it does not involve the controversy of the major and minor sins, but it only states the reward earned by the people of excellence. Be it as it may, the minor sins are forgiven by every act of virtue whereas the major ones are not forgiven except by repentance and asking Allâh's forgiveness.

to Him,' his sins will be removed from him though they may be as much as the foam of the sea." [Agreed upon].

عَنْهُ خَطَايَاهُ، وَإِنْ كَانَتْ مِثْلَ زَبَدِ الْبَحْرِ». مُتَّفَقٌ عَلَيْهِ.

**1338.** Narrated Juwairiya رضي الله عنها daughter of Al-Hârith[1]: Allâh's Messenger صلى الله عليه وسلم said to me, "Since leaving you I have said four phrases which, if weighed against all you have said today, would prove to be heavier:[2] 'Glory is to Allâh, and praise of Him to the number of His creatures, in accordance with His Good Pleasure, to the weight of His Throne and to the extent of His Words.' " [Muslim reported it].

(١٣٣٨) وَعَنْ جُوَيْرِيَةَ بِنْتِ الْحَارِثِ رَضِيَ اللَّهُ تَعَالَى عَنْهَا قَالَتْ: قَالَ لِي رَسُولُ اللهِ ﷺ: «لَقَدْ قُلْتُ بَعْدَكِ أَرْبَعَ كَلِمَاتٍ لَوْ وُزِنَتْ بِمَا قُلْتِ مُنْذُ الْيَوْمِ لَوَزَنَتْهُنَّ: سُبْحَانَ اللهِ وَبِحَمْدِهِ، عَدَدَ خَلْقِهِ، وَرِضَاءَ نَفْسِهِ، وَزِنَةَ عَرْشِهِ، وَمِدَادَ كَلِمَاتِهِ». أَخْرَجَهُ مُسْلِمٌ.

**1339.** Narrated Abû Sa'îd Al-Khudri رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The lasting good deeds[3] are: (the saying of) 'There is no God but Allâh; Glory is to Allâh; Allâh is Most Great; Praise is to Allâh, there is no might and no power except in Allâh.' " [Reported by An-Nasâ'i. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(١٣٣٩) وَعَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «الْبَاقِيَاتُ الصَّالِحَاتُ: لَا إِلَهَ إِلَّا اللَّهُ، وَسُبْحَانَ اللهِ، وَاللَّهُ أَكْبَرُ، وَالْحَمْدُ لِلَّهِ، وَلَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ». أَخْرَجَهُ النَّسَائِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

---

[1] She was an *Umm-ul-Mu'minîn* and was among the captives of the battle of Al-Muraisi'. She was part of the share of Thâbit bin Qais bin Shammâs, who agreed with her to buy her freedom. The Prophet صلى الله عليه وسلم then paid him and married her. The *Sahâba* then freed her people while saying, "These are the in-laws of Allâh's Messenger صلى الله عليه وسلم." So she was the most beneficial woman for her people. She died in the year 56 H.

[2] This *Hadîth* is so narrated that the Prophet صلى الله عليه وسلم left for prayer while Juwairiya رضي الله عنها was busy in Allâh's remembrance. When the Prophet صلى الله عليه وسلم came back after the prayer at the time of *Duha* (a time between the sunrise and the meridian), he still found Juwairiya رضي الله عنها engrossed in it and thereupon the Prophet صلى الله عليه وسلم stated the above words. This *Hadîth* regards these words to be of an extremely lofty virtuous import. It further elaborates that the reward of the repetition of words shall be earned by reciting this mention as many times as it is prescribed in this *Hadîth*.

[3] Some virtuous deeds, other than the acts of public welfare, are the ones whose reward shall continue to add up in one's account even after a person dies. One of those deeds is the invocation of these five *Kalima* (words)

**1340.** Narrated Samura bin Jundub رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The words dearest to Allâh are four: 'Glory is to Allâh; Praise is to Allâh; There is no God but Allâh; and Allâh is the Most Great.' It does not matter which you say first." [Muslim reported it].

(١٣٤٠) وَعَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَحَبُّ الْكَلَامِ إِلَى اللهِ أَرْبَعٌ، لَا يَضُرُّكَ بِأَيِّهِنَّ بَدَأْتَ: سُبْحَانَ اللهِ، وَالْحَمْدُ للهِ، وَلَا إِلَهَ إِلَّا اللَّهُ، وَاللَّهُ أَكْبَرُ». أَخْرَجَهُ مُسْلِمٌ.

**1341.** Narrated Abû Mûsa Al-Ash'arî رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said to me, "O Abdullâh bin Qais, would you like to be guided to one of the treasures of Paradise?[1]: There is no might and no power except in Allâh." [Agreed upon]. An-Nasâ'i added, "There is no refuge from Allâh except by returning to Him."

(١٣٤١) وَعَنْ أَبِي مُوسَى الْأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ لِي رَسُولُ اللهِ ﷺ: «يَا عَبْدَ اللهِ بْنَ قَيْسٍ! أَلَا أَدُلُّكَ عَلَى كَنْزٍ مِنْ كُنُوزِ الْجَنَّةِ؟ لَا حَوْلَ وَلَا قُوَّةَ إِلَّا بِاللهِ». مُتَّفَقٌ عَلَيْهِ. زَادَ النَّسَائِيُّ: «وَلَا مَلْجَأَ مِنَ اللهِ إِلَّا إِلَيْهِ».

**1342.** Narrated An-Nu'mân bin Bashir رضي الله عنهما: The Prophet صلى الله عليه وسلم said, "Verily, supplication is worship."[2] [Reported by *Al-Arba'a* and At-Tirmidhi graded it *Sahih* (sound)].

(١٣٤٢) وَعَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ الدُّعَاءَ هُوَ الْعِبَادَةُ». رَوَاهُ الْأَرْبَعَةُ وَصَحَّحَهُ التِّرْمِذِيُّ.

Narrated Anas رضي الله عنه: (Allâh's Messenger صلى الله عليه وسلم said) "Supplication is the pith of worship." [Reported by At-Tirmidhi with a full chain of narrators].

وَلَهُ مِنْ حَدِيثِ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، مَرْفُوعاً، بِلَفْظِ: «الدُّعَاءُ مُخُّ الْعِبَادَةِ».

Narrated Abû Huraira رضي الله عنه: (Allâh's Messenger صلى الله عليه وسلم said) "Nothing is more honourable before Allâh than supplication." [At-Tirmidhi reported it with a full

وَلَهُ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، رَفَعَهُ: «لَيْسَ شَيْءٌ أَكْرَمَ عَلَى اللهِ مِنَ الدُّعَاءِ». وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

---

[1] It means that as a person safeguards and keeps his distinctive and fine possessions in concealment, this invocation formula has also been kept in hiding since it carries an extremely distinctive and fine reward.

[2] It means that the prayer and invocation is a kind of worship, or it means the statement conveyed by the verse "Invoke Me and I will respond to you" (V.40:60), here only implies an act of worshipping.

chain of narrators. Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

**1343.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "A supplication made between the *Adhân* and *Iqâma*[1] is not rejected." [An-Nasâ'i and others reported it, and Ibn Hibbân and others graded it *Sahih* (sound)].

(١٣٤٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الدُّعَاءُ بَيْنَ الأَذَانِ وَالإِقَامَةِ لا يُرَدُّ». أَخْرَجَهُ النَّسَائِيُّ وَغَيْرُهُ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَغَيْرُهُ.

**1344.** Narrated Salmân رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Your *Rabb* is Magnificent and Generous, and is ashamed to turn away empty the hands of a slave when he raises them[2] to Him." [*Al-Arba'a* except An-Nasâ'i reported it; Al-Hâkim graded it *Sahih* (sound)].

(١٣٤٤) وَعَنْ سَلْمَانَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ رَبَّكُمْ كَرِيمٌ، يَسْتَحِي مِنْ عَبْدِهِ إِذَا رَفَعَ إِلَيْهِ يَدَيْهِ أَنْ يَرُدَّهُمَا صِفْراً». أَخْرَجَهُ الأَرْبَعَةُ إِلاَّ النَّسَائِيَّ وَصَحَّحَهُ الْحَاكِمُ.

**1345.** Narrated 'Umar رضي الله عنه: When Allâh's Messenger صلى الله عليه وسلم raised his hands in supplication he did not lower them till he wiped his face with them.[3] [At-Tirmidhi reported it]. It has other authorities like: The *Hadîth* reported by Ibn 'Abbâs (رضي الله عنهما) which occurs in Abû Dâ'ud's book, and others, and they confirm that it is a *Hasan* (fair) *Hadîth*.

(١٣٤٥) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا مَدَّ يَدَيْهِ فِي الدُّعَاءِ لَمْ يَرُدَّهُمَا حَتَّى يَمْسَحَ بِهِمَا وَجْهَهُ. أَخْرَجَهُ التِّرْمِذِيُّ. وَلَهُ شَوَاهِدُ مِنْهَا حَدِيثُ ابْنِ عَبَّاسٍ عِنْدَ أَبِي دَاوُدَ وَغَيْرِهِ، وَمَجْمُوعُهَا يَقْتَضِي أَنَّهُ حَدِيثٌ حَسَنٌ.

**1346.** Narrated Ibn Mas'ûd رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said,

(١٣٤٦) وَعَنِ ابْنِ مَسْعُودٍ رَضِيَ اللَّهُ

---

[1] We are thus informed that some of the timings are very much valuable like the one from midnight and until morning. People enquired of the Prophet صلى الله عليه وسلم as to what should they ask for between *Adhân* and *Iqâma*. The Prophet صلى الله عليه وسلم stated that they should ask Allâh for their safety in their day-to-day worldly matters as well as the soundness of their Faith while pursuing their religious activities.

[2] This *Hadith* states that the raising of one's hands while making a supplication, is a *Sunna* (a supererogatory act).

[3] It thus becomes known to us that after having a supplication completed, one is advised to rub his palms on his face. This is due to the fact that while making a supplication, one's hands get filled up with the Mercy of Allâh. This mercy is thus rubbed onto one's face since the face is the noblest of the bodily organs.

"Those who are nearest to me, on the Day of Resurrection, are those who invoke many blessings on me."[1] [At-Tirmidhi reported it. Ibn Hibbân graded it *Sahih* (sound)].

تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «إِنَّ أَوْلَى النَّاسِ بِي يَوْمَ الْقِيَامَةِ أَكْثَرُهُمْ عَلَيَّ صَلَاةً». أَخْرَجَهُ التِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1347.** Narrated Shaddâd bin Aus رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "The best manners of asking for forgiveness [2] is to say: 'O Allâh, You are *Rabb*. There is no God but You, You have created me, and I am Your slave and hold to Your covenant and promises as much as I can. I seek refuge in You from the evil of what I have done. I acknowledge Your favour on me, and I acknowledge my sin. forgives me, because none forgives the sins except You." [Al-Bukhâri reported it].

(١٣٤٧) وَعَنْ شَدَّادِ بْنِ أَوْسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «سَيِّدُ الاسْتِغْفَارِ أَنْ يَقُولَ الْعَبْدُ: اللَّهُمَّ! أَنْتَ رَبِّي، لاَ إِلَهَ إِلاَّ أَنْتَ، خَلَقْتَنِي، وَأَنَا عَبْدُكَ، وَأَنَا عَلَى عَهْدِكَ وَوَعْدِكَ مَا اسْتَطَعْتُ، أَعُوذُ بِكَ مِنْ شَرِّ مَا صَنَعْتُ، أَبُوءُ لَكَ بِنِعْمَتِكَ عَلَيَّ، وَأَبُوءُ لَكَ بِذَنْبِي، فَاغْفِرْ لِي، فَإِنَّهُ لاَ يَغْفِرُ الذُّنُوبَ إِلاَّ أَنْتَ». أَخْرَجَهُ الْبُخَارِيُّ.

**1348.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم never failed to use these words[3] in the evening and morning: "O Allâh, I ask You for security in my religion and my worldly affairs, in my family and my property; O Allâh, conceal my faults and keep me safe from the things which I fear; O Allâh, guard

(١٣٤٨) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: لَمْ يَكُنْ رَسُولُ اللهِ ﷺ يَدَعُ هٰؤُلَاءِ الْكَلِمَاتِ، حِينَ يُمْسِي وَحِينَ يُصْبِحُ: «اللَّهُمَّ! إِنِّي أَسْأَلُكَ الْعَافِيَةَ فِي دِينِي وَدُنْيَايَ وَأَهْلِي وَمَالِي، اللَّهُمَّ اسْتُرْ عَوْرَاتِي، وَآمِنْ رَوْعَاتِي، وَاحْفَظْنِي مِنْ بَيْنِ يَدَيَّ،

[1] We must know that sending peace and blessing upon the Prophet صلى الله عليه وسلم is a supplication to invoke Allâh's mercy on the Prophet صلى الله عليه وسلم and is an act of worship. The best invocatory formula after *Lâ ilaha illa-Allâh* is the noble act of sending peace on the Prophet صلى الله عليه وسلم.

[2] Since this supplication of forgiveness epitomises all the meaning and senses of repentance, it has been given the name of *Sayyid-ul-Istighfâr* (the master of forgiving supplication).

[3] The safety of religion lies in abstaining oneself from committing sins, the safety of one's kith lies in a cordial and amicable social interaction, and the safety of wealth is that it should be guarded against all calamities, whether apparent or hidden. In this *Hadîth*, Allâh's protection has been solicited from the disasters which may inflict a person from all the six possible directions since a man is all the time surrounded by his enemies which may be the satans either among the humans or the jinns which are present in all the four directions.

me from my front and from my right hand side and from my left side, and from above me; and I seek refuge in Your Greatness from receiving unexpected harm from below me." [An-Nasâ'i and Ibn Mâjah reported it, Al-Hâkim graded it *Sahih* (sound)].

وَمِنْ خَلْفِي، وَعَنْ يَمِينِي، وَعَنْ شِمَالِي، وَمِنْ فَوْقِي، وَأَعُوذُ بِعَظَمَتِكَ أَنْ أُغْتَالَ مِنْ تَحْتِي». أَخْرَجَهُ النَّسَائِيُّ وَابْنُ مَاجَهْ، وَصَحَّحَهُ الْحَاكِمُ.

**1349.** Narrated Ibn 'Umar رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم used to supplicate: "O Allâh, I seek refuge in You from the decline of Your favour,[1] change in Your granting well-being, sudden vengeance from You and all Your displeasures." [Muslim reported it].

(١٣٤٩) وَعَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ زَوَالِ نِعْمَتِكَ، وَتَحَوُّلِ عَافِيَتِكَ، وَفُجَاءَةِ نِقْمَتِكَ، وَجَمِيعِ سَخَطِكَ». أَخْرَجَهُ مُسْلِمٌ.

**1350.** Narrated 'Abdullâh bin 'Amr رضي الله عنهما: Allâh's Messenger صلى الله عليه وسلم used to say: "O Allâh, I seek refuge in You from being heavily in debt, from being overpowered by enemies,[2] and the gloating of enemies (at an evil I am afflicted with)." [Reported by An-Nasâ'i and Al-Hâkim graded it *Sahih* (sound)].

(١٣٥٠) وَعَنْ عَبْدِ اللهِ بْنِ عَمْرٍو رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ! إِنِّي أَعُوذُ بِكَ مِنْ غَلَبَةِ الدَّيْنِ، وَغَلَبَةِ الْعَدُوِّ، وَشَمَاتَةِ الْأَعْدَاءِ». رَوَاهُ النَّسَائِيُّ، وَصَحَّحَهُ الْحَاكِمُ.

**1351.** Narrated Buraida رضي الله عنه: The Prophet صلى الله عليه وسلم heard a man saying, "O Allâh, I ask You by virtue that I testify that You are Allâh; there is no God but You, the one — the Self-Sufficient Master, Who did not beget and was not begotten, and to

(١٣٥١) وَعَنْ بُرَيْدَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: سَمِعَ النَّبِيُّ ﷺ رَجُلاً يَقُولُ: اللَّهُمَّ! إِنِّي أَسْأَلُكَ بِأَنِّي أَشْهَدُ أَنَّكَ أَنْتَ اللَّهُ، لَا إِلَهَ إِلاَّ أَنْتَ، الْأَحَدُ الصَّمَدُ، الَّذِي لَمْ يَلِدْ وَلَمْ

[1] The boons are destroyed by the sins. In other words, this supplication is being made to Allâh by beseeching and invocating him with these words: "O Allâh! We hereby seek Your protection from (the effects and consequences of) our bad deeds." This supplication was devised for the sole purpose of educating the *Ummah* (followers) even though the Prophet صلى الله عليه وسلم ownself is free from sins.

[2] The domination of debt is that a person becomes incapable of paying up his debts and this situation occurs when a person no longer harbours any intention of paying it at all; because if he does, Allâh will certainly be assisting him in accomplishing his will by giving him solvency. The overpowering of an enemy is that a man finds himself incapable of even avenging himself on a tyrant and an encroacher (who has wronged him).

Whom no one is equal." Allâh's Messenger صلى الله عليه وسلم then said, "He has asked Allâh by His Name by which when asked, He gives,[1] and by which when supplicated, He answers." [*Al-Arba'a* reported it; Ibn Hibbân graded it *Sahih* (sound)].

يُوْلَدْ، وَلَمْ يَكُنْ لَهُ كُفُوًا أَحَدٌ. فَقَالَ: «لَقَدْ سَأَلَ اللَّهَ بِاسْمِهِ الَّذِي إِذَا سُئِلَ بِهِ أَعْطَى، وَإِذَا دُعِيَ بِهِ أَجَابَ». أَخْرَجَهُ الأَرْبَعَةُ وَصَحَّحَهُ ابْنُ حِبَّانَ.

**1352.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم would say in the morning: "O Allâh, by You we come to the morning, by You we come to the evening, by You we live, by You we die,[2] and to You are we resurrected." In the evening he would say the same except for the last phrase: "And to You do we return." [*Al-Arba'a* reported it].

(١٣٥٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ: إِذَا أَصْبَحَ، يَقُولُ: «اللَّهُمَّ! بِكَ أَصْبَحْنَا، وَبِكَ أَمْسَيْنَا، وَبِكَ نَحْيَا، وَبِكَ نَمُوتُ، وَإِلَيْكَ النُّشُورُ». وَإِذَا أَمْسَى قَالَ مِثْلَ ذٰلِكَ، إِلاَّ أَنَّهُ قَالَ: «وَإِلَيْكَ الْمَصِيرُ». أَخْرَجَهُ الأَرْبَعَةُ.

**1353.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to supplicate frequently: "Our *Rabb*, give us good (things) in this world and good (things) in the Hereafter,[3] and defend us from torment of the Fire."[4] [Agreed upon].

(١٣٥٣) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ أَكْثَرُ دُعَاءِ رَسُولِ اللهِ ﷺ: «رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً، وَفِي الآخِرَةِ حَسَنَةً، وَقِنَا عَذَابَ النَّارِ». مُتَّفَقٌ عَلَيْهِ.

---

[1] In Arabic, *Sawâl* particularly denotes asking for a specific thing, whereas *Du'a* is a more common and generalised concept. Thus it becomes known to us that one must use exactly the same words which have been accorded the privilege of acceptance while asking for something.

[2] Sleep and death are profoundly associated with each other. Whenever a man gets up from sleep, it is as if he regains life from a state of death. As long as the night is a time to sleep, in Arabic the word *Masîr* has been mentioned while referring to the night. Similarly as long as the morning is a time to get up, the word *Nushûr* has been used accordingly.

[3] The goodness and welfare of this world include virtuous deeds, pious progeny, spacious and abundant livelihood and useful knowledge, etc. The best among the welfare of the Hereafter is entering Paradise and its other related factors like being free from tension, easiness in the process of accountability and being saved from the torment of Hell-fire. A *Hadith* narrated by Abû Huraira رضي الله عنه has it that if a man asks for Allâh's protection from Hell seven times, the Hell itself supplicates to Allâh by saying, "Your such and such slave is seeking Your protection from me and therefore You must grant him Your protection."

[4] *Sûrat Al-Baqarah*, Verse 201.

**1354.** Narrated Abû Mûsa Al-Ash'ari رضي الله عنه: The Prophet صلى الله عليه وسلم used to supplicate: "O Allâh, forgive me my sin, my ignorance, my extravagance in my affairs, and what You know better than I do. O Allâh, forgive me my serious and my frivolous sins, my unintentional and my intentional sins, for I am guilty of all that. O Allâh, forgive me my former and my latter sins, what I have kept secret and what I have done openly, and what You know better than I do. You are the Advancer, You are the Delayer, and You are the Omnipotent." [Agreed upon].

(١٣٥٤) وَعَنْ أَبِي مُوسَى الْأَشْعَرِيِّ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ يَدْعُو «اللَّهُمَّ اغْفِرْ لِي خَطِيئَتِي وَجَهْلِي وَإِسْرَافِي فِي أَمْرِي، وَمَا أَنْتَ أَعْلَمُ بِهِ مِنِّي، اللَّهُمَّ اغْفِرْ لِي جِدِّي وَهَزْلِي، وَخَطَئِي وَعَمْدِي، وَكُلُّ ذَلِكَ عِنْدِي، اللَّهُمَّ اغْفِرْ لِي مَا قَدَّمْتُ، وَمَا أَخَّرْتُ، وَمَا أَسْرَرْتُ، وَمَا أَعْلَنْتُ، وَمَا أَنْتَ أَعْلَمُ بِهِ مِنِّي، أَنْتَ الْمُقَدِّمُ، وَأَنْتَ الْمُؤَخِّرُ، وَأَنْتَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ». مُتَّفَقٌ عَلَيْهِ.

**1355.** Narrated Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to say: "O Allâh, set right for me my religion which is the safeguard of my affairs; set right for me my worldly affairs in which is my livelihood, set right for me my Hereafter on which depends my afterlife; make life for me a means of increase in all that is good; and make death a protection for me from every evil."[1] [Muslim reported it].

(١٣٥٥) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ! أَصْلِحْ لِي دِينِي الَّذِي هُوَ عِصْمَةُ أَمْرِي، وَأَصْلِحْ لِي دُنْيَايَ الَّتِي فِيهَا مَعَاشِي، وَأَصْلِحْ لِي آخِرَتِي الَّتِي إِلَيْهَا مَعَادِي، وَاجْعَلِ الْحَيَاةَ زِيَادَةً لِي فِي كُلِّ خَيْرٍ، وَاجْعَلِ الْمَوْتَ رَاحَةً لِي مِنْ كُلِّ شَرٍّ». أَخْرَجَهُ مُسْلِمٌ.

**1356.** Narrated Anas رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم used to say: "O Allâh, grant me benefit in what You have taught me, teach me what will benefit me, and provide me with

(١٣٥٦) وَعَنْ أَنَسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: كَانَ رَسُولُ اللهِ ﷺ يَقُولُ: «اللَّهُمَّ انْفَعْنِي بِمَا عَلَّمْتَنِي، وَعَلِّمْنِي مَا يَنْفَعُنِي،

[1] In this invocation, the good things of both the worlds have been solicited. It does not carry an intention that one should ask for his own death, but it merely expresses a desire that whenever death occurs, it should be a cause to provide a blissful peace and an eternal rest.

knowledge which will benefit[1] me." [Reported by An-Nasâ'i and Al-Hâkim].

وَارْزُقْنِي عِلْماً يَنْفَعُنِي». رَوَاهُ النَّسَائِيُّ وَالْحَاكِمُ.

At-Tirmidhi reported something similar from the *Hadith* of Abû Huraira رضي الله عنه, he said in its end: "And increase my knowledge. Praise is to Allâh in all circumstances. I seek refuge in Allâh from the state of those who will go to Hell." [Its chain of narrators is *Hasan* (fair)].

وَلِلتِّرْمِذِيِّ مِنْ حَدِيثِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ نَحْوُهُ، وَقَالَ فِي آخِرِهِ: «وَزِدْنِي عِلْماً. الْحَمْدُ للهِ عَلَى كُلِّ حَالٍ، وَأَعُوذُ بِاللهِ مِنْ حَالِ أَهْلِ النَّارِ». وَإِسْنَادُهُ حَسَنٌ.

**1357.** Narrated 'Aisha رضي الله عنها: The Prophet صلى الله عليه وسلم taught her this supplication: "O Allâh, I ask You for the whole good, the sooner and the later, of what I have known and what I have not; I seek refuge in You from the whole evil, the sooner and the later, of what I have known and what I have not. O Allâh, I ask You for the best of what Your slave and Prophet has asked You, and seek refuge in You from the worst of what Your slave and Prophet has sought refuge from. O Allâh I ask You for Paradise and whatever nears to it of saying or deed, and seek refuge in You from Hell and whatever nears to it of saying or deed. And I ask You to make every decree You have decreed to me be good." [Ibn Mâjah reported it; Ibn Hibbân and Al-Hâkim graded it *Sahih* (sound)].

(١٣٥٧) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، أَنَّ النَّبِيَّ ﷺ عَلَّمَهَا هٰذَا الدُّعَاءَ: «اللَّهُمَّ! إِنِّي أَسْأَلُكَ مِنَ الْخَيْرِ كُلِّهِ، عَاجِلِهِ وَآجِلِهِ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ، وَأَعُوذُ بِكَ مِنَ الشَّرِّ كُلِّهِ عَاجِلِهِ وَآجِلِهِ، مَا عَلِمْتُ مِنْهُ وَمَا لَمْ أَعْلَمْ، اللَّهُمَّ! إِنِّي أَسْأَلُكَ مِنْ خَيْرِ مَا سَأَلَكَ عَبْدُكَ وَنَبِيُّكَ، وَأَعُوذُ بِكَ مِنْ شَرِّ مَا عَاذَ مِنْهُ عَبْدُكَ وَنَبِيُّكَ، اللَّهُمَّ! إِنِّي أَسْأَلُكَ الْجَنَّةَ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ، وَأَعُوذُ بِكَ مِنَ النَّارِ، وَمَا قَرَّبَ إِلَيْهَا مِنْ قَوْلٍ أَوْ عَمَلٍ، وَأَسْأَلُكَ أَنْ تَجْعَلَ كُلَّ قَضَاءٍ قَضَيْتَهُ لِي خَيْراً». أَخْرَجَهُ ابْنُ مَاجَهْ، وَصَحَّحَهُ ابْنُ حِبَّانَ وَالْحَاكِمُ.

[1] This *Hadith* enlightens us that we should ask Allâh beseechingly for the grant of useful knowledge and similarly should ask Allâh's protection from the futile knowledge. Futile knowledge is the one which is not acted upon.

**1358.** The two *Shaikh*, Al-Bukhâri and Muslim, reported this *Hadîth* from Abû Huraira رضي الله عنه: Allâh's Messenger صلى الله عليه وسلم said, "Two expressions which are dear to the Compassionate One and are light on the tongue but heavy in the scale are: 'Glory is to Allâh, and praise is to Him; and Glory is to Allâh the Most Great.' "[1]

(١٣٥٨) وَأَخْرَجَ الشَّيْخَانِ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «كَلِمَتَانِ حَبِيبَتَانِ إِلَى الرَّحْمٰنِ خَفِيفَتَانِ عَلَى اللِّسَانِ ثَقِيلَتَانِ فِي الْمِيزَانِ: سُبْحَانَ اللهِ وَبِحَمْدِهِ سُبْحَانَ اللهِ الْعَظِيمِ».

[The author Sheikh-ul-Islam Ahmad bin Ali bin Muhammad bin Hajar Al-Asqalâni finished this book on 11th Rabi-ul-Awwal 828 H.

All praises are for Allah and the blessings may be upon His Messenger صلى الله عليه وسلم.]

قَالَ مُصَنِّفُهُ – الشَّيْخُ الْإِمَامُ الْعَالِمُ الْعَامِلُ الْعَلَّامَةُ قَاضِي الْقُضَاةِ شَيْخُ الْإِسْلَامِ أَمْتَعَ اللَّهُ بِوُجُودِهِ الْأَنَامَ – فَرَغَ مِنْهُ مُلَخِّصُهُ أَحْمَدُ بْنُ عَلِيِّ بْنُ مُحَمَّدِ ابْنِ حَجَرٍ فِيْ حَادِيَ عَشَرَ شَهْرِ رَبِيعِ الْأَوَّلِ سَنَةَ ثَمَانٍ وَعِشْرِيْنَ وَثَمَانِمَائَةٍ، حَامِداً للهِ تَعَالىٰ وَمُصَلِّياً عَلَىٰ رَسُولِهِ ﷺ وَمُكَرِّماً وَمُبَجِّلاً وَمُعَظِّماً.

[1] Imâm Bukhâri رحمه الله, concluded *Sahih Al-Bukhâri* by quoting this *Hadîth*. Following his example, many of the authors and compilers have concluded their books by referring to this *Hadîth*. This *Hadîth* proves the existence of *Mizân* (the scales for measuring deeds on the Day of Judgement) as mentioned clearly in the noble Qur'ân. There is a difference of opinion among the scholars in regard to the nature and condition of things thus weighed and measured on the pair of scales. Some of the scholars observe that the Records of Deeds themselves shall be measured but the predominance is accorded to the view that each action has a definite shape and thus every deed shall be measured individually in its very shape (appearance). This *Hadîth* informs us about the vastness of Allâh's Mercy that He generously gives away a great amount of rewards against actions which are relatively so small and negligible. The fact is that Allâh's Mercy is on the lookout for excuses to the effect that the people are often forgiven under one pretext or another. Oh my All-Forgiving and All-Merciful *Rabb*! Arrange the means of deliverance from the unseen for this delinquent slave of Yours and accept him for Your forgiveness by Your sheer mercy. *Amin*. Oh You the Cherisher of the worlds. Oh Allâh! Forgive the sins of the writer of this book!

# APPENDIX-I
# GLOSSARY

*Aalim* : (العالم) A knowledgeable person or a religious scholar in Islâm.

*'Abd* : (العبد) A male slave.

*'Âd* : (عاد) An ancient tribe that lived after Nûh (Noah). It was prosperous, but naughty and disobedient to Allâh, so Allâh destroyed it with violent destructive westerly wind.

*Ad-Dabûr* : (الدبور) Westerly wind.

*Adhân* : (الأذان) The call to *Salât* (prayer) pronounced loudly to indicate that the time of praying is due. And it is as follows: ***Allâhu Akbar, Allâhu-Akbar; Allâhu-Akbar, Allâhu-Akbar; Ash-hadu an lâ ilâha ill-Allâh, Ash-hadu an lâ ilâha ill-Allâh; Ash-hadu anna Muhammadan Rasûl-Ullâh, Ash-hadu anna Muhammadan Rasûl-Ullâh; Haiya 'alas-Salâ(h), Haiya 'alas-Salâ(h); Haiya 'alal-Falâh, Haiya 'alal-Falâh; Allâhu-Akbar, Allâhu-Akbar; Lâ ilâha ill-Allâh.*** (See *Sahîh Al-Bukhâri,* Vol.1, Page 334*)*.

*Ahkâm* : (الأحكام) "Orders". According to Islâmic law, there are five kinds of orders:

1. Compulsory (*Wâjib* الواجب )
2. Order without obligation (*Mustahab* المستحب )
3. Forbidden (*Muharram* المحرم )
4. Disliked but not forbidden (*Makrûh* المكروه )
5. Legal and allowed (*Halâl* الحلال )

*'Aina* : (العينة) One form of it is that suppose a person asks someone to lend him a certain amount of money, he refuses the money in cash, instead offers him an article at a higher price than his demand of the required money, and later on buys the same article from him at a less price i.e., equal to his demand money. In this way he makes him indebted for the difference. It shows that two things are the causes of Muslim disgrace — one is giving up of *Jihâd* and the second is fraud and swindling.

*Aiyim* : (الأيم) A woman who already has a sexual experience, she may be a widow or a divorced.

*'Ajwa* : (العجوى) Pressed soft dates (or a kind of dates).

*Al-Ahzâb* : (الأحزاب) The Confederates. The term is used for the disbelievers of Quraish and the Jews residing at Al-Madina and some other Arab tribes who invaded the Muslims of Al-Madina but were forced to withdraw.

*Al-'Amânah* : (الأمانة) The trust or the moral responsibility or honesty, and all the duties which Allâh has ordained.

*Al-'Aqîq* : (العقيق) A valley in Al-Madîna about seven kilometers west of Al-Madîna.

*Al-Arba'a* : (الأربعة) The four compilers of *Ahadith* — Abu Da'ud, Nasâ'i, Tirmidhi, Ibn Mâjah.

*Al-'Awâmir* : (العوامر) Snakes living in houses.

*Al-Bahîrah* : (البحيرة) A milking she-camel, whose milk used to be spared for idols and other false deities.

*Al-Baidâ'* : (البيداء) A place to the south of Al-Madîna on the way to Makka.

*Al-Bait-ul-Ma'mûr*: (البيت المعمور) Allâh's House over the seventh heaven.

*Al-Batsh* : (البطش) The Grasp.

*Al-Fâtiha* : (الفاتحة) The first *Sûrah* in the Qur'ân.

*Al-Firdaus* : (الفردوس) The middle and the highest part of Paradise.

*Al-Ghâba* : (الغابة) (Literally : the forest) A well-known place near Al-Madîna.

*Al-Ghurr-ul-Muhajjalûn* : (الغر المحجلون) A name that will be given on the Day of Resurrection to the Muslims because the parts of their bodies which they used to wash in ablution will shine then.

*Al-Harûriya* : (الحرورية)A special unorthodox religious sect.

*Al-Hasbâ'* : (الحصباء) A place outside Makka where pilgrims go after finishing all the ceremonies of *Hajj*.

*Al-Hidana* : (الحضانة) The nursing and caretaking of children.

*Al-Hijr* : (الحجر) The unroofed portion of the Ka'ba which at present is in the form of a compound towards the north of the Ka'ba.

*Al-Hudaibîya* : (الحديبية) A well-known place about 16 kilometers from Makka on the way to Jeddah. At this place a treaty was made in 6 H. between the Prophet صلى الله عليه وسلم and the Quraish who stopped him and his Companions from performing *'Umrah*.

*Al-Ihdâd* : (الإحداد) Mourning for a deceased husband.

*Al-Ihtibâ'* : (الاحتباء) A sitting posture, putting one's arms around one's legs while sitting on the hips.

*Al-Istibra* : (الاستبراء) The elapse of one menstruation period in the case of a newly purchased slave-woman.

*Al-Ji'râna* : (الجعرانة) A place, few kilometers from Makka. The Prophet صلى الله عليه وسلم distributed the war booty of the battle of Hunain there, and from there he assumed the state of *Ihrâm* to perform *'Umrah*.

*Al-Juhfa* : (الجحفة) The *Miqât* of the people of Shâm.

*Al-Kabâ'ir* : (الكبائر) The biggest sins.

*Al-Kauthar* : (الكوثر) A river in Paradise (see the Qur'ân, *Sûrah* No.108).

*Al-Khamsa* : (الخمسة) The five compilers of *Ahadith* — Abu Da'ud, Nasâ'i, Tirmidhi, Ibn Mâjah, Ahmad.

*Al-Lizâm* : (اللزام) The settlement of affairs, in the *Hadîth*, it refers to the battle of Badr, which was the means of settling affairs between the Muslims and the pagans.

| | | |
|---|---|---|
| *Al-Madîna* | : | (المدينة) Well-known city in Saudi Arabia, where the Prophet's mosque is situated. It was formerly called Yathrib. |
| *Al-Maghâzi* | : | (المغازى) Plural of *Maghza,* i.e. holy battle; or the place where the battle took place; or the deeds and virtues of *Ghâzi* (fighters in Allâh's Cause) |
| *Al-Manâsi'* | : | (المناصع) A vast plateau on the outskirts of Al-Madîna. |
| *Al-Maqâm-al-Mahmûd* | : | (المقام المحمود) The highest place in Paradise, which will be granted to Prophet Muhammad صلى الله عليه وسلم and none else. (See *Hadîth* No. 242, Vol.6, *Sahih Al-Bukhâri*). |
| *Al-Marwa* | : | (المروة) A mountain in Makka, neighbouring the sacred mosque (i.e. *Al-Masjid-al-Harâm*) |
| *Al-Mash'ar Al-Harâm* | : | (المشعر الحرام) A sacred place at *Muzdalifa.* |
| *Al-Masih-ad-Dajjâl* | : | (المسيح الدجال) Pseudo Messiah or Antichrist (see the footnote of V.6:158 the Qur'ân and also *Hadîth* No.649 and 650, Vol.4, *Sahih Al-Bukhâri*). |
| *Al-Masjid-al-Aqsa* | : | (المسجد الأقصى) The most sacred mosque in Jerusalem. |
| *Al-Masjid-al-Harâm* | : | (المسجد الحرام) The most sacred mosque in Makka. The Ka'ba is situated in it. |
| *Al-Muhassab* | : | (المحصب) A valley outside Makka sometimes called Khaif Banî Kinana. |
| *Al-Muta'wwilûn* | : | (المتأولون) Those (ones) who form wrong opinions of *Kufr* about their Muslim brothers. |
| *Al-Qasâma* | : | (القسامة) The oath taken by 50 men of the tribe of a person who is being accused of killing somebody. |
| *Al-Qaswâ'* | : | (القصواء) The name of the Prophet's she-camel. |
| *Al-Qisâs* | : | (القصاص) Laws of equality in punishment for wounds etc. in retaliation. |
| *Al-Wâsil* | : | (الواصل) One who keeps good relations with his kith and kin. |
| *Allâhu-Akbar* | : | (الله أكبر) Allâh is the Most Great. |
| *'Ama* | : | (الأمة) A female slave. |
| *Ambijania* | : | (الأنبجانية) A plain woollen cloth without marks. |
| *Amin* | : | (آمين) O Allâh, accept our invocation. |
| *Amma Ba'du* | : | (أما بعد) An expression used for separating an introductory from the main topics in a speech; the introductory being usually concerned with Allâh's Praises and Glorification. Literally it means, "whatever comes after." It is generally translated as "then after". |
| *An-Najâshi* | : | (النجاشي) (Title for the) king of Ethiopia (Abyssinia) — Negus. |
| *An-Najsh* | : | (النجش) A trick (offering a very high price) for something without the intention of buying it but just to allure and cheat somebody else who really wants to buy it although it is not worth such a high price. |

| | | |
|---|---|---|
| *An-Najwa* | : | (النجوى) The private talk between Allâh and each of His slaves on the Day of Resurrection. It also means, a secret counsel or conference or consultation. [See the Qur'ân (VV.58: 7-13), and also see the footnote of (V.11:18)].(See *Sahîh Al-Bukhâri,* Vol.3, *Hadîth* No. 621). |
| *Ansâr* | : | (الأنصار) (Plural of *Ansâri*). The Companions of the Prophet صلى الله عليه وسلم from the inhabitants of Al-Madîna, who embraced Islâm and supported it and who received and entertained the Muslim emigrants from Makka and other places. |
| *'Anaza* | : | (العنزة) A spear-headed stick. |
| *'Aqîqa* | : | (العقيقة) It is the sacrificing of one or two sheep on the occasion of the birth of a child, as a token of gratitude to Allâh. (See *Sahîh Al-Bukhâri,* The Book of *'Aqîqa*, Vol. 7, Page No. 272). |
| *'Aqra Halqa* | : | (عقرى حلقى) It is just an exclamatory expression, the literal meaning of which is not meant always. It expresses disapproval. |
| *'Arafa* (day of) | : | (عرفة) The ninth day of the month Dhul-Hijja, on which rituals of *Hajj* are performed. |
| *'Arafât* | : | (عرفات) A famous place of pilgrimage on the southeast of Makka about twenty-five kilometers from it. |
| *Arâk* | : | (الأراك) A tree from which *Siwâk* سواك (tooth brush) is made. |
| *'Arîya* | : | (العرية) (Plural: *'Arâya*) *Bai'-al-'Arâya* is a kind of sale by which the owner of *'Arîya* is allowed to sell the fresh dates while they are still over the palms, by means of estimation, for dried plucked dates. (See *Sahîh Al-Bukhâri,* Vol.3, *Ahâdîth* Nos.389,394 and 397). |
| *Ar-Radâ'a* | : | (الرضاعة) The suckling of one's own or someone's child. |
| *Ar-Raj'a* | : | (الرجعة) The bringing back of a wife by the husband after the first or second divorce. |
| *Ar-Rajm* | : | (الرجم) Means (in Islâmic law) to stone to death those married persons who commit the crime of illegal sexual intercourse. |
| *Ar-Ruqya* | : | (الرقية) Divine Speech recited as a means of curing disease. (It is a kind of treatment, i.e. to recite *Sûrat Al-Fâtiha* or any other *Sûrah* of the Qur'ân and then blow one's breath with saliva over a sick person's body-part). |
| *'Arsh* | : | (الأرش) Compensation given in case of someone's injury caused by another person. |
| *'Asaba* | : | (العصبة) All male relatives of a deceased person, from the father's side. |
| *'Asb* | : | (العصب) A kind of Yemeni cloth that is very coarse. |
| *Ashâb As-Suffa* | : | (أصحاب الصفة) They were about eighty men or more who used to stay and have religious teachings in the Prophet's mosque in Al-Madina, and they were very poor people. |
| *Ashâb As-Sunan* | : | (أصحاب السنن) The compilers of the prophetic *Ahadith* on Islamic jurisprudence. |

| | | |
|---|---|---|
| *Ashâb Ash-Shajara* | : | (اصحاب الشجرة) Those Companions of the Prophet صلى الله عليه وسلم who took oath to defend the religion against Quraish at Al-Hudaibiya. |
| *Ash-Shahâda* | : | (الشهادة) (i) Testimony of Faith. (ii) "None has the right to be worshipped but Allah, and Muhammad صلى الله عليه وسلم is the Messenger of Allah." |
| *Ash-Shiqâq* | : | (الشقاق) Difference between husband and wife or any two persons. |
| *'Ashûra* | : | (العاشوراء) The 10th of the month of Muharram (the first month in the Islâmic calendar). |
| *'Asr* | : | (العصر) Afternoon, *'Asr* prayer time. |
| *As-Saba* | : | (الصبا) Easterly wind. |
| *As-Sab'a* | : | (السبعة) The seven compilers of *Ahadith* — Bukhari, Muslim, Abu Da'ud, Nasâ'i, Tirmidhi, Ibn Mâjah, Ahmad. |
| *As-Sâ'iba* | : | (السائبة) A she-camel which used to be let loose for free pastures in the name of idols, gods, and false deities. (See the Noble Qur'ân V.5:103). |
| *As-Salât* | : | (الصلاة) See *Iqâmat-as-Salât.* |
| *As-Saum* | : | (الصوم) The fasting i.e., to not to eat or drink or have sexual relations etc. from before the *Adhân* of the *Fajr* (early morning) prayer till the sunset. |
| *As-Sihah As-Sitta* | : | (الصحاح الستة) The six books of *Ahadith*: Bukhari, Muslim, Abu Da'ud, Nasâ'i, Tirmidhi and Ibn Mâjah. |
| *As-Sirât* | : | (الصراط) *Sirât* originally means 'a road'; it also means the bridge that will be laid across Hell-fire for the people to pass over on the Day of Judgement. It is described as sharper than a sword and thinner than a hair. It will have hooks over it to snatch the people. |
| *As-Sitta* | : | (الستة) The six compilers of *Ahadith* — Bukhari, Muslim, Abu Da'ud, Nasâ'i, Tirmidhi, Ibn Mâjah; and their six collections are called *Sihah Sitta.* |
| *At-Tan'îm* | : | (التنعيم) A place towards the north of Makka outside the sanctuary from where Makkans may assume the state of *Ihrâm* to perform *'Umra.* |
| *Ath-Thalatha* | : | (الثلاثة) The three compilers of *Ahadith* — Abu Dau'd, Nasâ'i, Tirmidhi. |
| *'Aura* | : | (العورة) That part of the body which is illegal to keep naked before others. |
| *'Awâli-al-Madîna* | : | (عوالي المدينة) Outskirts of Al-Madîna at a distance of six or more kilometers. |
| *Awâqin* | : | (أواق) (Singular: *'Uqîya*: 5 *Awâqin* = 22 Silver Riyals of Yemen or 200 Silver Dirham (i.e. 640 grams approx.) (See *Sahih Al-Bukhâri,* Vol. 2, *Hadîth* No. 526). |
| *Awsuq* | : | (أوسق) Plural of *Wasq,* which is a measure equal to 60 *Sâ'* = 135 kgms. (approx). It may be less or more. |

| | | |
|---|---|---|
| *Ayyâm At-Tashriq* | : | (أيام التشريق) It is a term used for the eleventh, twelfth and thirteenth of Dhul-Hijja. |
| *Ayât* | : | (الآيات) Proofs, evidences, verses, lessons, signs, revelations, etc. |
| *Ayat-ul-Kursi* | : | (آية الكرسي) Qur'ânic Verse No. 255 of *Sûrat Al-Baqarah.* |
| *'Azl* | : | (العـزل) Coitus interruptus, i.e., pulling out the penis from vagina at the time of ejaculation of semen for the purpose of birth control. |
| *Azlâm* | : | (الأزلام) Literally means "arrows". Here it means arrows used to seek good luck or a decision, practised by the 'Arabs of Pre-Islamic Period of Ignorance. |
| *Az-Zihâr* | : | (الظهـار) One's telling to his wife, "You are unlawful to me for cohabitation like my mother." |
| *Badana* | : | (بدنة) (Plural : *Budn*). A camel or a cow or an ox driven to be offered as a sacrifice, by the pilgrims at the sanctuary of Makka. |
| *Bâdhaq* | : | (الباذق) A kind of alcoholic drink prepared from grapes. |
| *Badr* | : | (البـدر) A place about 150 kilometers to the south of Al-Madîna, where the first great battle in Islâmic history took place between the early Muslims and the infidels of Quraish. |
| *Bai'a* | : | (البيعة) A pledge given by the citizens etc. to their *Imâm* (Muslim ruler) to be obedient to him according to the Islâmic religion. |
| *Bai' As-Salaf* | : | (بيع السلف) See *Salaf* |
| *Bai' As-Salam* | : | (بيع السلم) See *Salam.* |
| *Bai'-il-Hasat* | : | (بيع الحصاة) "Pebble throwing trade" is an imposture form of a trade. In this trade the seller asks the buyer to throw a pebble, whereupon the pebble drops, that thing is given to the buyer on a pre-fixed price. This form of trade is also prohibited because there is fraud in it. Price of the thing on which the pebble falls may be more or less than the pre-fixed price. There are many forms of this imposture trade and all of them are prohibited. For example, to sell a lost slave or an animal, flying birds or fish in water, etc. |
| *Bait-ul-Maqdis* | : | (بيت المقدس) *Bait* literally means 'House': a mosque is frequently called *Baitullâh* (the House of Allâh). Bait-ul-Maqdis is the famous mosque in Jerusalem which is regarded as the third sacred mosque in the Islâmic world; the first and second being *Al-Masjid-al-Harâm* at Makka and the mosque of the Prophet صلى الله عليه وسلم at Al-Madîna, respectively. |
| *Bait-ul-Midras* | : | (بيت المدراس) A place in Al-Madîna (and it was a Jewish centre). |
| *Bai'at-ur-Ridwân* | : | (بيعة الرضوان) The oath and pledge taken by the *Sahâba* at Al-Hudaibiya in the year 6 H. to fight Quraish in case they harmed 'Uthmân رضي الله عنه who had gone to negotiate with them and reported to have been captivated. |
| *Bâlâm* | : | (بالام) Means an ox. |
| *Banû Al-Asfar* | : | (بنو الأصفر) The Byzantines. |

*Baqî'* : (البقيـع) The cemetery of the people of Al-Madîna; many of the Companions of the Prophet صلى الله عليه وسلم are buried in it.

*Barra* : (البِرّ) Pious.

*Bid'a* : (البدعة) Heresy (or any innovated practice in religion).

*Bint Labûn* : (بنت لبون) Two-year-old she-camel.

*Bint Makhâd* : (بنت مخاض) One-year-old she-camel.

*Bu'âth* : (بعاث) A place more than three kilometers from Al-Madîna where a battle took place before Islâm between the *Ansâr* tribes of Al-Aus and Al-Khazraj.

*Burâq* : (براق) An animal bigger than a donkey and smaller than a horse on which the Prophet صلى الله عليه وسلم went for the *Mi'râj*. (The Ascent of the Prophet صلى الله عليه وسلم to the heavens.)

*Burd, Burda* : (البرد ، البردة) A black square narrow dress.

*Burnus* : (البرنس) A hooded cloak.

*Burud* : (البُرُد) Plural of *Barîd*. One *Barid* is equal to 4 *Farsakh* = 12 miles = 19.31 kilometers.

*Buthan* : (بطحان) A valley in Al-Madîna.

*Daghâbis* : (الضغابيس) Snake cucumbers.It is a plural of *Daghbûs*.

*Daiyân* : (الديـان) Allâh; it literally means the One Who judges people from their deeds after calling them to account.

*Dajjâl* : (الدجـال) Pseudo Messiah (*Al-Masîh-ad-Dajjâl*) or Antichrist. Literally a liar, quack, deceiver etc. (See the footnote of V.6:158 the Qur'ân and also *Hadith* No.649 and 650, Vol.4, *Sahih Al-Bukhâri*).

*Dâniq* : (دانق) A coin equal to one-sixth of a Dirham.

*Dâr-al-Qadâ'* : (دارالقضاء) Justice House (court).

*Dhât-'Irq* : (ذات عرق) *Miqât* for the pilgrims coming from Iraq.

*Dhât-un-Nitâqain*: (ذات النطاقين) Asmâ', the daughter of Abû Bakr رضي الله عنهما. It literally means a woman with two belts. She was named so by the Prophet صلى الله عليه وسلم.

*Dhât-ur-Riqâ'* : (ذات الرقـاع) It is name of a *Ghazwa* and it may be translated as 'the one having stripes'. Muslims were suffering from an extreme poverty, they were bare-footed without shoes, when their feet blistered, they wrapped them with rags and tattered clothes. Thus this battle came to be known as *Dhât-ur-Riqâ'*.

*Dhaw-ül-Arhâm* : (ذوو الأرحام) Relatives on the maternal side.

*Dhimmi* : (الذمـي) A non-Muslim living under the protection of an Islâmic government.

*Dhi-Tuwa* : (ذي طوى) It is one of the valleys (districts) of Makka and there is a well-known well in it. In the lifetime of the Prophet صلى الله عليه وسلم

| | | |
|---|---|---|
| | | Makka was a small city and this well was outside its precincts. Nowadays Makka is a larger city and the well is within its boundaries. |
| *Dhû-Mahram* | : | (ذو محرم) A man, whom a woman can never marry because of close relationship (e.g. a brother, a father, an uncle etc.); or her own husband. |
| *Dhûl-Farâ'id* | : | (ذوالفرائض) Those persons whose share of inheritance is described in the Qur'ân are called *Dhûl-Farâid,* and the rest are *Asaba* (العصبة) |
| *Dhûl-Hijja* | : | (ذوالحجة) The twelfth month in the Islâmic calendar. |
| *Dhûl-Hulaifa* | : | (ذو الحليفة) The *Mîqât* of the people of Al-Madîna now called 'Abyâr 'Alî. |
| *Dhûl-Khalasa* | : | (ذو الخلصة) Al-Ka'ba Al-Yamaniya. (A house in Yemen where idols used to be worshipped. It belonged to the tribe of Khath'am and Bajaila). |
| *Dhûl-Qa'da* | : | (ذو القعدة) The eleventh month of the Islâmic calendar. |
| *Dhûl-Qarnain* | : | (ذو القرنين) A great ruler in the past who ruled all over the world, and was a true believer. His story is mentioned in the Qur'ân. (V.18:83) |
| *Dhûn-Nûrain* | : | (ذو النورين) A nickname given to the third Righteous Caliph Uthmân bin 'Affân for having married two daughters of the Prophet صلى الله عليه وسلم i.e. Ruqaya and Umm Kulthum. He had married the latter after the death of the former. |
| *Dîbâj* | : | (الديباج) Pure silk cloth. |
| *Dînâr* | : | (الدينار) An ancient gold coin. |
| *Dirham* | : | (الدرهم) A silver coin weighing 50 grains of barley with cut ends. It equals to $^1/_{12}$ of one *Uqiya* of gold in value. |
| *Dîya* | : | (الدية) (Plural: *Dîyât*) Blood money (for wounds, killing etc.), compensation paid by the killer to the relatives of the victim (in unintentional cases). |
| *Duha* | : | (الضحى) Forenoon. |
| *'Eid-al-Adha* | : | (عيد الأضحى) The four days' festival of Muslims starting on the tenth day of Dhul-Hijja (month). |
| *'Eid-al-Fitr* | : | (عيد الفطر) The three days' festival of Muslims starting from the first day of Shawwâl, the month that follows Ramadân immediately. *Fitr* literally means 'breaking the *Saum* (fast).' Muslims observe *Saum* (fast) the whole of Ramadân, the ninth month of the Islâmic calendar and when Shawwâl comes, they break their *Saum* (fast) . |
| *Fadak* | : | (فدك) A town near Al-Madîna. |
| *Fâhish* | : | (الفاحش) One who talks evil. |
| *Fai'* | : | (الفيء) War booty gained without fighting. |
| *Fajr* | : | (الفجر) Dawn or early morning before sunrise, or morning *Salât* (prayer). |
| *Faqih* | : | (الفقيه) A learned man who can give religious verdicts. |

*Farâ'id* : (الفرائض) Share fixed for the relatives of a deceased. Such shares are prescribed in the Qur'ân ($^1/_2$, $^1/_4$, $^1/_3$, $^1/_6$ $^1/_8$, $^2/_3$). [V.4:11, 12, 176]

*Faraq* : (الفرق) A bowl for measuring.

*Fard 'Ain* : (فرض العين) It is an individual duty — an obligation essentially to be performed by each individual.

*Fard Kifâya* : (فرض الكفاية) It is a collective duty — an obligation which, if performed by one person, suffices for the rest; as it does not have to be performed essentially by all.

*Farîda* : (الفريضة) (Plural: *Farâ'id*) An enjoined duty.

*Farrûj* : (الفروج)A *Qabâ'* opened at the back.

*Farsakh* : (الفرسخ) (Parasang — Persian unit of distance) A distance of three miles (approx). 1 mile = 6000 *Dora* = 1760 yards = 1.6 kilometer.

*Fatât* : (الفتاة) A female slave or a young lady.

*Fidya* : (الفدية) Compensation for a missed or wrongly practised religious obligation (like in *Hajj*), usually in the form of money or foodstuff or offering (animal by slaughtering it).

*Fiqh* : (الفقه) Islamic jurisprudence.

*Fitna* : (الفتنة) (Plural: *Fitan*) Trials, persecution, confusion in the religion, conflicts and strifes among the Muslims.

*Gharar* : (الغرر) The sale of what is not present; e.g. of unfished fish.

*Ghâzî* : (الغازى) A Muslim fighter returning after participation in *Jihâd* (Islâmic holy fighting).

*Ghazwa* : (الغزوة) (Plural : *Ghazawât*). A holy battle or fighting in the Cause of Allâh consisting of a large army unit with the Prophet صلى الله عليه وسلم himself leading the army.

*Ghazwat-ul-Khandaq* : (غزوة الخندق) The name of a battle between the early Muslims and the infidels in which the Muslims dug a *Khandaq* (trench) round Al-Madîna to prevent any advance by the enemies.

*Ghila* : (الغيلة) To have sexual intercourse with the wife before weaning the child.

*Ghira* : (الغيرة) This word covers a wide meaning : jealousy as regards women, and also it is a feeling of great fury and anger when one's honour and prestige is injured or challenged.

*Ghulûl* : (الغلول) Stealing from the war booty before its distribution.

*Ghuraf* : (الغرف) Special abodes.

*Ghusl* : (الغسل) Taking a bath in ceremonial way. This is necessary for one who is *Junub*, and also on other occasions. This expression 'taking a bath' is used in this book with the special meaning of *Ghusl* mentioned here.

*Habal-il-Habala*: (حبل الحبلة) There were two forms of this trade called *Habal-il-Habala*. The example of first form is that to buy an offspring of an

animal which itself is yet to be born by making the payment in advance. Second form is to sell an animal on condition to have the offspring of the sold animal. Both forms of this kind of trade are prohibited.

*Hadath Al-Asghar*: (الحدث الأصغر) Passing wind or urine or answering the call of nature.

*Hadath Al-Akbar*: (الحدث الأكبر) Sexual discharge.

*Hadîth* : (الحديث) (Plural: *Ahadith* أحاديث) The sayings, deeds and approvals accurately narrated from the Prophet صلى الله عليه وسلم . Following are the few classifications of *Ahadith*:

(الضعيف) *Da'if* (weak) — An inaccurate narration which does not qualify to be either *Sahih* (sound) or *Hasan* (fair), and hence cannot be used as a basis of an Islamic opinion.

(الغريب) *Gharib* (unfamiliar or rare) — A *Hadîth* or version reported by one reliable or unreliable narrator which differs in context with another *Hadîth* or version reported by a group of reliable narrators. A *Gharib Hadîth* can be *Sahih* (sound) or *Da'if* (weak).

(الحسن) *Hasan* (fair) — A *Musnad Hadîth* narrated by a reliable chain, but not reaching the grade of *Sahih* (sound) *Hadîth*.

(المجهول) *Majhul* (unknown) — If there is an unknown person in the chain of narrators of a *Hadîth*.

(المقطوع) *Maqtu'* (disconnected) — (i) A *Hadîth* ending at a *Tabi'i* by both action and words. (ii) A *Hadîth* with incomplete chain of narrators. (iii) A *Hadîth* in which a *Sahâbi* describes about something by saying, 'we used to do ....'.

(المرفوع) *Marfu'* (traceable) — A *Hadîth* referred to the Prophet صلى الله عليه وسلم, be it a saying or an action, whether *Muttasil* (connected), *Munqata'* (interrupted) or *Mursal* (disreferred).

(الموقوف) *Mauqûf* (untraceable) — It is a *Hadîth* about a *Sahâbi* (Companion of the Prophet صلى الله عليه وسلم). A description, report or an information given by a *Sahâbi*. A *Mauquf* is also called an *Athar*.

(المضطرب) *Mudtarib* (confounding) — A *Hadîth* in which the narrators disagree on a particular source or on any other aspect with equally strong grounds with no possibility of preponderating one opinion against the other. This difference could be either on the chain of narrators or in the text.

(المنقطع) *Munqati'* (disconnected) — A *Hadîth* with incomplete chain of narrators or containing in its chain an unknown reporter.

(المرسل) *Mursal* (disreferred) — A *Hadîth* with the chain of narrators ending at a *Tabi'i*, without the reference of the Companion, quoting from the Prophet صلى الله عليه وسلم .

(المسند) *Musnad* (subjective) — (i) A *Hadîth* with a complete chain of narrators reaching the Prophet صلى الله عليه وسلم (ii) A *Hadîth* collection in which all the narrations of a reporter are gathered together.

(المتصل) *Muttasil* (connected) or *Mausul* (الموصول) — A *Hadîth* with a complete chain of narrators until it reaches its source. It can either be a *Marfu'* (traceable) referring to the Prophet صلى الله عليه وسلم, or a *Mauquf* (untraceable) ending at a *Sahâbi*.

(الصحيح) *Sahih* (sound) — A *Musnad Hadîth* with an unbroken chain of narrators, one narrated from are and all reliable reporters with good memory up to the source without being a *Shâdh* (شاذ -odd) or a *Mu'allal* (المعلل -faulty).

*Hady* : (الهدى) An animal (a camel, a cow, a sheep or a goat) offered as a sacrifice by the pilgrims.

*Hais* : (الحيس) A dish made of cooking-butter, dates and cheese.

*Hajj* : (الحج) Pilgrimage to Makka.

*Hajj-al-Akbar* : (الحج الأكبر) The day of *Nahr* (i.e the 10th of Dhul-Hijja).

*Hajj-al-Asghar* : (الحج الأصغر) *'Umrah.*

*Hajj-al-Ifrâd* : (حج الإفراد) In it, a pilgrim enters in the state of *Ihrâm* with the intention of performing *Hajj* only.

*Hajj-al-Qirân* : (حج القران) In it, a pilgrim enters in the state of *Ihrâm* with the intention of performing *Umrah* and *Hajj* altogether.

*Hajj-at-Tamattu'*: (حج التمتع) In it, a pilgrim enters in the state of *Ihrâm* with the intention of performing *Umrah*, and then after performing *Tawâf* and *Sa'y*, he goes out of his *Ihrâm*. With the commencement of *Hajj* days, he enters in the state of *Ihrâm* again and performs *Hajj*.

*Hajjat-ul-Wadâ'*: (حجة الوداع) The last *Hajj* of the Prophet صلى الله عليه وسلم, the year before he died.

*Hajj Mabrûr* : (الحج المبرور) *Hajj* accepted by Allâh for being perfectly performed according to the Prophet's *Sunna* and with legally earned money.

*Hajjâm* : (الحجام) One who performs cupping.

*Halâl* : (الحلال) Lawful.

*Halala* : (الحلالة) To marry a divorced woman temporarily with the intention of making her remarriage to her former husband lawful. This act is unlawful. Marriage based on intended divorce is unlawful, whether its period is prescribed or not.

*Humaz* : (الهمز) Madness or evil suggestions.

*Hanîf* : (الحنيف) Pure Islâmic Monotheism (worshipping Allâh Alone and nothing else).

*Hantâ* : (هنتاه) An expression used when you don't want to call somebody by her name. (It is used for calling a female).

*Hanût* : (الحنوط) A kind of scent used for embalming the dead.

*Harâm* : (الحرام) Unlawful, forbidden and punishable from the viewpoint of religion.

*Haram* : (الحرم) Sanctuaries of Makka and Al-Madîna.

*Haraurâ'* : (الحروراء) A town in Irâq.

*Harba* : (الحربة) A short spear.

*Harj* : (الهرج) Killing.

*Harra* : (الحرة) A well-known rocky place in Al-Madîna covered with black stones.

*Hasîr* : (الحصير) A mat that is made of leaves of date-palms and is as long as (or longer than) a man's stature.

*Hawâla* : (الحوالة) The transference of a debt from one person to another. It is an agreement whereby a debtor is released from a debt by another becoming responsible for it.

*Hawâzin* : (الهوازن) A tribe of Quraish.

*Hayâ'* : (الحياء) This term covers a large number of concepts. It may mean 'modesty', 'self-respect', 'bashfulness', 'honour', etc. *Hayâ'* is of two kinds: good and bad; the good *Hayâ'* is to be ashamed to commit a crime or a thing which Allâh عز و جل and His Messenger صلى الله عليه وسلم has forbidden, and bad *Hayâ'* is to be ashamed to do a thing, which Allâh and His Messenger صلى الله عليه وسلم ordered to do. (See *Sahîh Al-Bukhâri*, Vol. 1, *Hadîth* No.8).

*Hiba* : (الهبة) It means to present something to someone as a gift for Allah's sake.

*Hijâb* : (الحجاب) A long dress prescribed for Muslim women to cover their whole body from head to feet.

*Hijra* : (الهجرة) Literally it means 'migration'. This term is used for: (i) the migration of Muslims from an enemy land to a secure place for religious causes, (ii) the first Muslims flight from Makka to Abyssinia (Ethiopia) and later to Al-Madina, (iii) the Prophet's migration journey from Makka to Al-Madina, and (iv) the Islamic calendar year which started from the Prophet's migration journey from Makka to Al-Madina.

*Hilâb* : (حلاب) A kind of scent.

*Hima* : (الحمى) A private pasture.

*Himyân* : (حميان) A kind of belt, part of which serves as a purse to keep money in it.

*Hinna* : (الحناء) (Henna) A kind of plant used for dyeing hair etc.

*Hiqqa* : (الحقة) A three-year-old she-camel.

*Hirâ'* : (الحراء) A well-known cave in a mountain near Makka.

*Houris* : (الحور) Very fair females created by Allâh as such not from the offspring of Adam, with intense black irises of their eyes and intense white scleras. [For details see the book *Hâdi Al-Arwah* by Ibn Al-Qaiyim, Chapter 54, Page 147].

*Hubal* : (هبل) The name of an idol in the Ka'ba in the Pre-Islâmic Period of Ignorance.

*Hublâ* : (الحبلى) A kind of desert tree.

*Hudâ* : (الحداء) Chanting of camel-drivers keeping time of camel's walk.

*Hudûd* : (الحدود) (Plural of *Hadd*) Allâh's boundary limits for *Halâl* (lawful) and *Harâm* (unlawful).

*Hujra* : (الحجرة) Courtyard or a room. (See *Lisân-e-'Arab*).

*Hukm* : (الحكم) A judgement of legal decision (especially of Allâh)

*Hums* : (حمس) The tribe of Quraish, their offspring and their allies were called *Hums*. This word implies enthusiasm and strictness. The *Hums* used to say, "We are the people of Allâh and we shall not go out of the sanctuary of Makka." They thought themselves superior to the other people.

*Hunain* : (الحنين) A valley between Makka and Tâ'if where the battle took place between the Prophet صلى الله عليه وسلم and Quraish pagans.

*'Iddah* : (العدة) Allâh's prescribed waiting period for a woman after divorce or death of her husband, after the expiry of which she can remarry another person. (See the Qur'ân, *Sûrat* 65).

*Idhkhir* : (الإذخر) It is a kind of grass which is used in the process of melting of the metals. The same is laid down on the roofs and floors of houses, and is also used in spreading in the graves.

*Iftâr* : (الإفطار) The opposite of *Saum* (fasting), (breaking the fast).

*Ihrâm* : (الإحرام) A state in which one is prohibited to practise certain deeds that are lawful at other times. The duties of *'Umrah* and *Hajj* are performed during such state. When one assumes this state, the first thing one should do is to express mentally and orally one's intention to assume this state for the purpose of performing *Hajj* or *'Umrah*. Then *Talbîya* is recited, two sheets of unstitched clothes are the only clothes one wears, (1) *Izâr*: worn below one's waist; and the other (2) *Ridâ'* : worn round the upper part of the body.

*Ihsân* : (الإحسان) The highest level of deeds and worship, (perfection i.e. when you worship Allâh or do deeds, consider yourself as if you see Him and if you cannot achieve this feeling or attitude, then you must bear in mind that He sees you).

*Ihtikâr* : (الاحتكار) It means a planned hoarding of something for future profit. *Ihtikâr* is prohibited and unlawful as it creates artificial scarcity of essential foodstuff.

*Ijâra* : (الإجارة) Making someone partner in profit or to rent out a thing to someone is called *Ijâra*

*Iliyâ'* : (ايلياء) Jerusalem.

*Imâm* : (الإمام) The person who leads others in the *Salât* (prayer) or the Muslim caliph (or ruler).

*Imân* : (الإيمان) Faith, Belief.

*Imlâs* : (الإملاص) An abortion caused by being beaten over one's (a pregnant wife's) abdomen.

*Iqâma* : (الإقامة) The wording of *Adhân* is reduced so that the wording that is repeated twice in the *Adhân* is said once in *Iqâma*, except the last utterance of *Allâhu Akbar*, and the prayer is offered immediately after the *Iqâma*.

*Iqamat-as-Salât* : (إقامة الصلاة) The performance of *As-Salât* (the prayers). This is not understood by many Muslims. It means:

(A) Each and every Muslim, male or female, is obliged to offer his *Salât* (prayers) regularly five times a day at the specified times; the male in the mosque in congregation and the female at home. As the Prophet صلى الله عليه وسلم has said: "Order your children for *Salât* (prayers) at the age of seven and beat them (about it) at the age of ten". The chief (of a family, town, tribe, etc.) and the Muslim ruler of a country are held responsible before Allâh in case of non-fulfillment of this obligation by the Muslims under his authority.

(B) To perform the *Salât* (prayers) in a way just as Prophet Muhammad صلى الله عليه وسلم used to perform it with all its rules and regulations, i.e. standing, bowing, prostrating, sitting etc. as he صلى الله عليه وسلم has said: "Perform your *Salât* (prayers) the way you see me performing them." Please see *Ahâdith* Nos. 702, 703, 704, 723, 786, 787 Vol. 1, *Sahih Al-Bukhâri* for the Prophet's way of offering *Salât* (prayer), in the Book of Characteristics of the *Salât* (prayer) and that the *Salât* (prayer) begins with *Takbîr* (*Allâhu-Akbar*) with the recitation of *Sûrat Al-Fatiha* etc. along with its various postures, standing, bowing, prostrations, sitting etc. and it ends with *Taslîm*.

*'Ishâ'* : (العشاء) Late evening *Salât* (prayer). Its time starts about one and a half hour after sunset, till the middle of the night.

*Ishtimâl-as-Sammâ'* : (اشتمال الصماء) The wearing of clothes in the following two ways:
1. To cover one shoulder with a garment and leave the other bare.
2. To wrap oneself in a garment while sitting in such a way that nothing of that garment would cover one's private parts.

*Isnâd* : (الإسناد) (Plural of *Sanad* السند). The chain of narrators of a Prophetic *Hadith*.

*Istabraq* : (استبرق) Thick *Dîbâj* (pure silk cloth).

*Istihâda* : (الاستحاضة) Any bleeding from the womb of a woman in between her normal periods. (See *Sahîh Al-Bukhâri*, Vol. 1, *Hadith* No. 303 and Chapter No. 10, Page No. 183).

*Istihsân* : (الاستحسان) To give a verdict with a proof from one's heart (only) with satisfaction, and one cannot express it [only Abû Hanîfa and his pupils say so but the rest of the Muslim religious scholars of *Sunna* (and they are the majority) do not agree to it].

*Istikhâra* : (الاستخارة) A *Salât* (prayer) consisting of two *Rak'a* in which the praying person appeals to Allâh to guide him on the right way, regarding a certain matter he wants to undertake. (See *Hadîth* No. 263, Vol. 2, *Hadîth* No.391, Vol. 8, *Hadîth* No. 487, Vol. 9, *Sahîh Al-Bukhâri*).

*Istisqâ'* : (الاستسقاء) A *Salât* (prayer) consisting of two *Rak'a*, invoking Allâh for rain in seasons of drought,

*I'tikâf* : (الاعتكاف) Seclusion in a mosque for the purpose of worshipping Allâh only. The one in such a state should not have sexual relations with his wife, and one is not allowed to leave the mosque except for a very short period, and that is only for very urgent necessity e.g. answering the call of nature or joining a funeral procession etc.

*'Iylâ'* : (الإيلاء) The oath taken by a husband that he would not approach his wife for a certain period.

*Izâr* : (الإزار) A sheet worn below the waist to cover the lower-half of the body.

*Jadha'a* : (الجذعة) A four-year-old she-camel.

*Jahannam* : (جهنم) Hell-fire.

*Jahiliya* : (الجاهلية) (i) Ignorance belonging to the period before the advent of the Prophet صلى الله عليه وسلم. (ii) Un-Islamic practices which either existed or were inherited from the era before the advent of the Prophet صلى الله عليه وسلم.

*Jalîl* : (الجليل) A kind of good smelling grass grown in Makka.

*Jalsat-ul-Istirâhat* : (جلسة الاستراحة) The brief sitting between rising up from a prostration position to the standing position in a prayer.

*Jam'* : (الجمع) Al-Muzdalifa, a well-known place near Makka.

*Jamra* : (الجمرة) A small stone-built pillar in a walled place. There are three *Jamra* situated at Mina. One of the ceremonies of *Hajj* is to throw pebbles at these *Jamra* on the four days of *'Eid-al-Adha* at Mina.

*Jamrat-al-'Aqaba* : (جمرة العقبة) One of the three stone-built pillars situated at Mina. It is situated at the entrance of Mina from the direction of Makka.

*Janâba* : (الجنابة) The state of a person after having sexual intercourse with his wife or after having a sexual discharge in a wet dream. A person in such a state should perform *Ghusl* (i.e. have a bath) or do *Tayammum*, if a bath is not possible.

*Janâza* : (الجنازة) (Plural: *Janâ'iz* الجنائز) Funeral.

*Janna* : (الجنة) Paradise.

*Janîb* : (الجنيب) A good kind of date.

*Jihâd* : (الجهاد) Holy fighting in the Cause of Allâh or any other kind of effort to make Allâh's Word (i.e. Islâm) superior. *Jihâd* is regarded as one of the fundamentals of Islâm.

*Jimâr* : (الجمار) Plural of *Jamra*.

*Jinn* : (الجن) A creation, created by Allâh from fire, like human beings from mud, and angels from light.

*Jizya* : (الجزية) Head tax imposed by Islâm on all non-Muslims living under the protection of an Islâmic government. [See *Sahîh Al-Bukhârî*, Vol. 4, Page No. 251, Chapter 21, and *Ahâdîth* No. 384, 385 and 386.]

| | | |
|---|---|---|
| *Jubba* | : | (الجبة) A cloak. |
| *Jumada-ath-Thâniya* | : | (جمادى الثانية) Sixth month of the Islâmic calendar. |
| *Jumu'a* | : | (الجمعة) Friday. |
| *Junub* | : | (الجنب) A person who is in a state of *Janâba*. |
| *Jurhum* | : | (جرهم) Name of an Arab tribe. |
| *Ka'ba* | : | (الكعبة) A square stone building in *Al-Masjid-al-Harâm* (the great mosque at Makka) towards which all Muslims face in *Salât* (prayer). |
| *Kafâla* | : | (الكفالة) The pledge given by somebody to a creditor to guarantee that the debtor will be present at a certain specific place to pay his debt or fine, or to undergo a punishment etc. |
| *Kaffâra* | : | (الكفارة) Making atonement for uttering or committing an unlawful thing in Islam. |
| *Kâfir* | : | (الكافر) (Plural: *Kuffâr* الكفار). The one who disbelieves in Allâh, His Messengers, all the angels, all the holy Books, Day of Resurrection and in the *Al-Qadar* (Divine Preordainments). |
| *Kanz* | : | (الكنز) Hoarded up gold, silver and money, the *Zakât* of which has not been paid. (See the Qur'ân V. 9:34). |
| *Katm* | : | (الكتم) A plant used for dyeing hair. |
| *Kauthar* | : | (الكوثر) See *Al-Kauthar*. |
| *Khadira* | : | (خضرة) A kind of vegetation. |
| *Khaibar* | : | (خيبر) An oasis and date-growing village, about 100 kilometers from Al-Madina. During the Prophet's time, it was inhabited by a Jewish tribe called Banu Nadhir. It was conquered by the Muslims in 5 H. |
| *Khalifa* | : | (الخليفة) (Plural: *Khulafâ'* الخلفاء) Caliph, a successor, an Islamic term used for the first four rulers after the death of the Prophet صلى الله عليه وسلم. |
| *Khalîl* | : | (الخليل) The one whose love is mixed with one's heart and it is superior to a friend or beloved. The Prophet صلى الله عليه وسلم had only one *Khalîl*, i.e. Allâh, but he had many friends. |
| *Khalûq* | : | (الخلوق) A kind of perfume. |
| *Khamr* | : | (الخمر) Alcohol, intoxicant etc. |
| *Khamîsa* | : | (الخميصة) A black woollen square blanket with marks on it. |
| *Khandaq* | : | (الخندق) See *Ghazwat-ul-Khandaq*. |
| *Kharâj* | : | (الخراج) *Zakât* imposed on the yield of the land ($^1/_{10}$th or $^1/_{20}$th). |
| *Khasuf* | : | (الخسوف) Lunar eclipse. |
| *Khawârij* | : | (الخوارج) The people who dissented from the religion and disagreed with the rest of the Muslims. |
| *Khazîr* or *Khazîra* | : | (الخزير، الخزيرة) A special type of dish prepared from barley-flour, meat-soup, fat etc. |

| | | |
|---|---|---|
| *Khilafa* | : | (الخلافة) (i) Succession. (ii) Islamic leadership. |
| *Khimâr* | : | (الخمار) A piece of cloth with which a woman covers her head and neck area. |
| *Khuff* | : | (الخف) Leather socks. |
| *Khul'* | : | (الخلع) A kind of divorce in which a wife seeks divorce from her husband by giving him a certain compensation, or returning back the *Mahr* which he gave her. |
| *Khumra* | : | (الخمرة) A small mat just sufficient for the face and the hands [on prostrating during *Salât* (prayers)]. |
| *Khumus* | : | (الخمس) One-fifth of war booty given in Allâh's Cause etc. (The Qur'ân, V.8:41). |
| *Khushû'* | : | (الخشوع) Humility before Allah. |
| *Khutba* | : | (الخطبة) Religious talk (sermon). |
| *Khutbat-un-Nikâh* | : | (خطبة النكاح) A speech delivered at the time of concluding the marriage contract. |
| *Khuzâ'a* | : | (الخزاعة) Banu Khuzâ'a, an Arabian tribe. |
| *Kohl* | : | (الكحل) Antimony eye powder. |
| *Kûfa* | : | (الكوفة) A town in 'Irâq. |
| *Kufr* | : | (الكفر) It is basically disbelief in any of the articles of Islâmic Faith and they are: to believe in Allâh (God), His angels, His Messengers, His revealed Books, the Day of Resurrection, and *Al-Qadar* (i.e. Divine Preordainments whatever Allâh has ordained must come to pass). |
| *Kufu'* | : | (الكفوء) It means to be similar or resembling or peer. Similarity or equality in four things — religion, lineage, profession and freedom is regarded reliable. Among these four, religion is agreed upon. Lineage is not proved from any true and authentic *Hadîth*, rest of the two, profession and freedom are admitted by all. To marry other than *Kufu'* is not prohibited, but it is better to marry in *Kufu'* for many reasons. |
| *Kunya* | : | (الكنية) Calling a man, 'O father of so-and-so!' or calling a woman, 'O mother of so-and- so!' This is a custom of the Arabs. |
| *Kusûf* | : | (الكسوف) Solar eclipse. |
| *Labbaika wa sa'daika* | : | (لبيك وسعديك) I respond to your call; I am obedient to your orders. |
| *Lâ ilâha ill-Allâh*: | | (لاإله إلا الله) There is no true God except Allâh. |
| *Lailat-ul-Qadr* | : | (ليلة القدر) One of the odd last ten nights of the month of *Saum* (fasting) (i.e. Ramadân), Allâh تعالى describes it as better than one thousand months, and the one who worships Allâh during it by performing optional prayers and reciting the Noble Qur'ân, etc. will get a reward better than worshipping Him for one thousand months (i.e. 83 years and four months).[See the Qur'ân *Sûrat* 97 (VV.97: 1-5)]. (See *Sahih Al-Bukhâri*, Vol. 3, *Hadîth* No. 231 and Chapter No.2). |

*Lât & Uzza* : (الـلات والعـزى) Well-known idols in Hijâz which used to be worshipped during the Pre-Islâmic Period of Ignorance.

*Li'ân* : (اللعـان) An oath which is taken by both the wife and the husband when he accuses his wife of committing illegal sexual intercourse. (The Qur'ân, *Sûrat Nûr*,24 :6,7,8,9,).

*Luqata* : (اللقطـة) Article or a thing (a pouch or a purse tied with a string) found by somebody other than the owner who has lost it.

*Ma'âfiri* : (معافري) A type of garment of Yemen origin.

*Maghâfir* : (المغافير) A bad smelling gum.

*Maghrib* : (المغرب) Sunset, evening *Salât* (prayer).

*Mahr* : (المهـر) Bridal money given by the husband to the wife at the time of marriage.

*Mahram* : (المحرم) See *Dhu-Mahram.*

*Makrûh* : (المكـروه) Not approved of, undesirable from the point of view of religion, although not punishable.

*Mamlûk* : (المملوك) A male slave.

*Manâsik Al-Hajj wal-'Umrah* : (مناسك الحج والعمـرة) [i.e. *Ihrâm; Tawâf* of the Ka'bah and *Sa'y* of As-Safa and Al-Marwa; stay at 'Arafat, Muzdalifa and Mina; *Ramy* (throwing pebbles) of *Jamrât;* slaughtering of *Hady* (animal) etc. For details, see The Book of *Hajj* and *'Umrah, Sahih Al-Bukhâri*, Vol.2-3.

*Manîha* : (المنيحة) (Plural:*Manâ'ih* المنائح) A sort of gift in the form of a she-camel or a sheep which is given to somebody temporarily so that its milk may be used and then the animal is returned to its owner.

*Maqâm Ibrâhîm* : (مقـام إبراهيم) (The place) the stone on which Ibrâhîm (Abraham) عليه السلام stood while he and Ismâîl (Ishmael) عليه السلام were building the Ka'ba.

*Mâ shâ' Allâh* : (ما شـاء الله) An Arabic sentence meaning literally, "What Allâh wish," and it indicates a good omen.

*Mashruba* : (المشربة) Attic room.

*Masjid* : (المسجد) Mosque.

*Mathânî* : (المثـاني) Oft repeated Verses of the Qur'ân, and that is *Sûrat Al-Fâtiha,* recited repeatedly in the *Salât* (prayer).

*Maula* : (المولى) It has many meanings. Some are: a manumitted slave, or a master or the *Rabb* [Lord (Allâh)].

*Maulâya* : (مولايـا) My lord, my master (an expression used when a slave addresses his master) (also used for freed slave).

*Mauqûdha* : (الموقـوذة) An animal beaten to death with a stick, a stone or the like without proper slaughtering.

*Mawâli* : (الموالي) Non-Arabs and originally former slaves.

*Mayâthir* : (المياثر) Silk cushions.

*Mihjan* : (المحجن) A walking stick with a bent handle.

| | | |
|---|---|---|
| *Mijanna* | : | (المجنّ) A place at Makka. |
| *Mina* | : | (منى) A pilgrimage place outside Makka on the road to 'Arafât. It is eight kilometers away from Makka and about sixteen kilometers from 'Arafât. |
| *Miqât* | : | (الميقات) (Plural: *Mawâqît* المواقيت) One of the several places specified by the Prophet صلى الله عليه وسلم for the people to assume *Ihrâm* at, on their way to Makka, when intending to perform *Hajj* or *'Umrah*. |
| *Miracles* | : | Of the Prophet صلى الله عليه وسلم . See *Sahîh Al-Bukhâri,* Vol 1, Introductory Pages. |
| *Mi'râd* | : | (المعراض) A featherless arrow. |
| *Mi'râj* | : | (المعراج) The Ascent of the Prophet صلى الله عليه وسلم to the heavens (by soul and body). (See *Hadîth* No. 345, Vol. 1, *Hadîth* No. 429, Vol.4 and *Hadith* No.227,Vol 5, *Sahih Al-Bukhâri*). [Also see (V.53:12) the Qur'ân] |
| *Mirbad* | : | (المربد) A place where dates are dried. |
| *Misr* | : | (مصر) Egypt. |
| *Miswâk* | : | (المسواك) A tooth brush made of *Arâk*-tree roots. |
| *Mithqâl* | : | (المثقال) A special kind of weight (equals $4^{4}/_{7}$ grams approx., used for weighing gold). It may be less or more. [20 *Mithqâl* = 94 grams approx.] |
| *Mu'adhdhin* | : | (المؤذن) A call-maker who pronounces the *Adhân* loudly calling people to come and perform the *Salât* (prayer). |
| *Mu'âhid* | : | (المعاهد) (i) A non-Muslim with whom a peace treaty has been made. (ii) A non-Muslim visiting an Islamic State with visa and performing his job |
| *Mu'allafat-ul-Qulûb* | : | (مؤلفة القلوب) New Muslims who were given *Sadaqa* by the Prophet صلى الله عليه وسلم to keep them firm in the fold of Islam. |
| *Mu'arras* | : | (المعرس) A place nearer to Mina than Ash-Shajara. |
| *Mu'awwidhât* | : | (المعوذات) i.e. *Sûrat Al-Falaq* (113) and *Sûrat An-Nâs* (114). [The Qur'ân]. |
| *Mubashshirât* | : | (المبشرات) Glad tidings. [See the footnote of (V. 10:64), *Sahîh Al-Bukhâri*, Vol. 9, *Hadîth* No. 119]. |
| *Mubiqât* | : | (الموبقات) Great destructive sins. |
| *Mudabbar* | : | (المدبر) A slave who is promised by his master to be manumitted after the latter's death. |
| *Mudâraba* | : | (المضاربة) It is a sort of contract. In it, ignorance of compensation/wage is pardoned out of general necessity of people. If the loss is due to the carelessness or deliberate mistake of the worker, he will be held responsible for it otherwise not. Similarly in doing against the conditions or instructions of investor, the co-partner of business will be held responsible in case of loss. |
| *Mudd* | : | (المد) A measure of two-thirds of a kilogram (approx.) It may be less or more. |
| *Mufassal* or *Mufassalât* | : | (المفصل، المفصلات) The *Sûrah* starting from *Qâf* to the end of the Noble Qur'ân (i.e. from No. 50 to the end of the Qur'ân, No. 114). |

*Muhâjir* : (المهاجر) Anyone of the early Muslims who had migrated from any place to Al-Madîna in the lifetime of the Prophet صلى الله عليه وسلم before the conquest of Makka and also the one who emigrates for the sake of Allâh and Islâm and also the one who quits all those things which Allâh has forbidden.

*Muhâqala* : (المحاقلة) It is selling un-harvested grain in the field with an already harvested grain like wheat.

*Muharram* : (المحرم) The first month of the Islâmic calendar.

*Muhkam* : (المحكم) Qur'ânic Verses the orders of which are not cancelled (abrogated).

*Muhrim* : (المحرم) One who assumes the state of *Ihrâm* for the purpose of performing the *Hajj* or *'Umrah*.

*Muhrima* : (المحرمة) A female in the state of *Ihrâm*.

*Muhsar* : (المحصر) A *Muhrim* who intends to perform the *Hajj* or *'Umrah* but cannot because of some obstacle.

*Mujâhid* : (المجاهد) (Plural: *Mujâhidûn*) A Muslim fighter in *Jihâd*.

*Mujazziz* : (المجزز) A *Qâ'if* : a learned man who reads the foot and hand marks.

*Mujtahidûn* : (المجتهدون) Independent religious scholars who do not follow religious opinions except with proof from the Qur'ân and the Prophet's *Sunna*, from all over the Muslim world.

*Mukâtab* : (المكاتب) A slave (male or female) who makes an agreement with the master to pay a certain ransom for his (or her) freedom.

*Mukhâbara* : (المخابرة) It is renting land for a half or a third of its produce. This transaction is allowed in principle and even the Prophet صلى الله عليه وسلم practised it with the Jews of Khaibar. But what is forbidden is specifying the produce of a certain portion of the land belonging to the owner and the other portion to the tenant which involved a lot of conflicts between the land owners and the tenants when the crops of the owner's portion failed and the tenant's produced or vice versa. However, there is no harm if both parties agree to share the whole produce according to fixed percentages.

*Mukhâdara* : (المخاضرة) The buying of a raw crop before it is ready to be reaped is *Al-Mukhâdara*.

*Mukhadram* : (المخضرم) (Plural: *Mukhadramun*) A person who became a Muslim during the Prophet's lifetime but did not see him.

*Mulâ'ana* : (الملاعنة) The act of performing *Li'ân*.

*Mulâmasa* (*Limas* اللماس) : (الملامسة) *Al-Mulâmasa* is a buy for prefixed price with closed eyes or in darkness just by the first touch of hand. For instance, a man goes to a cloth merchant and proposes him to buy a roll of cloth for a prefixed price on the condition that he will close his eyes and will go to touch the rolls, whatever the roll will come under his first touch, he will have it. This kind of trade is prohibited. It is also called *Limas*.

*Mulhidûn* : (الملحدون) Heretical.

*Munâbadha* : (المنابذة) The sale by *Al-Munâbadha* is like gambling: Two persons may agree to barter one thing for another without seeing or checking either of them. One may say to another, "I barter my garment for your garment," and the sale is achieved without either of them seeing the garment of the other. Or one may say, "I give you what I have and you give me what you have," and thus they buy from each other without knowing how much each has had.

*Muqaiyar* : (المقير) A name of a pot in which alcoholic drinks used to be prepared.

*Muqârada* : (المقارضة) *Al-Muqarada* or *Al-Qirâd* (القراض) is a business agreement in which the property or capital owner authorises a partner to trade with his property or capital with the condition that the profit is to be shared equally between the partners and any loss is to be beared by the property or capital owner.

*Musalla* : (المصلى) A praying place.

*Musâqât* : (المساقاة) Watering and doing watchman's job in the fields or gardens and sharing the produce or cultivating the land and sharing the produce with the owner is called *Al-Musâqat*. This is also called *Al-Muzâra'a* (المزارعة). The difference between *Musâqât* and *Muzâra'a* is that the first mentioned is for grains and the last mentioned is for fruit trees.

*Mushrikûn* : (المشركون) Polytheists, pagans, idolaters and disbelievers in the Oneness of Allâh and His Messenger Muhammad صلى الله عليه وسلم .

*Mustahada* : (المستحاضة) A woman who has bleeding from the womb in between her normal periods.

*Mut'a* : (المتعة) A temporary marriage which was allowed in the early period of Islâm when one was away from his home, but later on it was cancelled (abrogated).

*Mutafahhish* : (المتفحش) A person who conveys evil talk.

*Mu'takif* : (المعتكف) One who is in a state of *I'tikâf*.

*Mutashâbihât* : (المتشابهات) Qur'ânic Verses which are not clear and are difficult to understand.

*Mutras* : (مترس) A Persian word meaning "don't be afraid."

*Muttafaq 'Alaih* : (متفق عليه) Meaning 'Agreed upon'. The term is used for such *Ahadith* which are found in both the collection of *Ahadith*: *Bukhari* and *Muslim*.

*Muttaqûn* : (المتقون) Pious and righteous persons who fear Allâh much (abstain from all kinds of sins and evil deeds which He has forbidden) and love Allâh much (perform all kinds of good deeds which He has ordained).

*Muwatta'* : (الموطأ) A *Hadîth* book compiled by Imâm Mâlik bin Anas, one of the four *Fiqh Imâm*.

*Muzâbana* : (المزابنة) The sale of fresh dates for dried dates by measure, and the sale of fresh grapes for dried grapes by measure. In both cases the dried fruits are measured while the fresh ones are only estimated as they are still on the trees.

*Muzaffat* : (المزفت) A name of a pot in which alcoholic drinks used to be prepared.

*Muzâra'a* : (المزارعة) *Al-Muzâra'a* means to give the land for cultivation to someone and divide the produce. The Prophet صلى الله عليه وسلم did not stop or prevent from this, however when land was less and *Ansâr* and *Muhâjirîn* were more in number, he ordered as a measure of expediency to cultivate the land as much as one can, and not to give the rest of the land on produce-share basis or *Muzâra'a,* but to give the land on *Ijâra* or on rent, because *Ijrâra* provided some ease to the tenants. Afterwards when land was enough for all, this restriction was lifted.

*Muzdalifa* : (المزدلفة) A place between 'Arafât and Mina where the pilgrims while returning from 'Arafât, have to stop and stay for the whole night or greater part of it (the night), between the ninth and tenth of Dhul-Hijja and to perform the *Maghrib* and *'Ishâ'* prayers (together) there.

*Nabîdh* : (النبيذ) Water in which dates or grapes etc. are soaked and is not yet fermented.

*Nâdihah* : (الناضحة) A camel used for agricultural purposes.

*Nady* : (النضي) A part of an arrow.

*Nafath* : (النفث) Witchcraft.

*Nafkh* : (النفخ) Puffing of Satan.

*Nahd* : (النهد) Sharing the expenses of a journey or putting the journey food of the travellers together to be distributed among them in equal shares.

*Nahr* : (النحر) (Literal: slaughtering of the camels only and is done by cutting the carotid artery at the root of the neck); the day of *Nahr* is the tenth of Dhul-Hijja on which pilgrims slaughter their sacrificial animals.

*Najd* : (نجد) Lexically means 'the elevated land'. The expanse of land between Tihama and Iraq.

*Namîma* : (النميمة) (Calumnies) conveyance of disagreeable false information from one person to another to create hostility between them.

*Naqîb* : (النقيب) A person heading a group of six persons in an expedition; a tribal chief.

*Naqîr* : (النقير) A name of a pot in which alcoholic drinks used to be prepared.

*Nasl* : (النصل) A part of an arrow.

*Nawâfil* : (النوافل) (Plural of *Nâfila*) Optional practice of worship in contrast to obligatory *(Farîda).*

*Nikâh* : (النكاح) Marriage (wedlock) according to Islâmic law.

*Nisâb* : (النصاب) Minimum amount of property liable to payment of the *Zakât* e.g. *Nisâb* of gold is twenty (20) *Mithqâl* i.e. approx. 94 grams; *Nisâb*

of silver is two hundred (200) dirhams, i.e. approx. 640 grams; *Nisâb* of food-grains and fruit is 5 *Awsuq* i.e. 673.5 kgms. *Nisâb* of camels is 5 camels; *Nisâb* of cows is 5 cows; and *Nisâb* of sheep is 40 sheep, etc.

*Nash* : (النش) A measure of weight equal to ½ *Uqiya* (64 grams approximately).

*Nûn* : (نون) Fish.

*Nusk* : (النسك) Religious act of worship.

*Nusub* : (النصب) (Singular of *Ansâb*). *An-Nusub* were stone alters at fixed places or graves, etc., whereon sacrifices were slaughtered during fixed periods of occasions and seasons in the name of idols, jinns, angels, pious men, saints, etc., in order to honour them, or to expect some benefit from them.

*Nusuk* : (النسك) A sacrifice.

*Qabâ'* : (القباء) An outer garment with full length sleeves.

*Qadar* : (القدر) Divine Preordainment.

*Qadi* : (القاضي) A Muslim judge.

*Qalîb* : (القليب) A well.

*Qâri'* : (القارىء) Early Muslim religious scholars were called *Qurrâ'* (plural of *Qâri'* — this word is also used for a person who knows the Qur'ân by heart). The plural is *Qurrâ'*. The *Qurrâ'* were teachers of the early Muslims.

*Qârin* : (القارن) One who performs *Hajj-al-Qirân*.

*Qarn-al-Manâzil*: (قرن المنازل) The *Miqât* of the people of Najd. It is situated on the way to Makkah. (Now it is known as As-Sail-al-Kabeer)

*Qasab* : (القصب) Pipes made of gold, pearls and other precious stones.

*Qatifa* : (القطيفة) Thick soft cloth.

*Qattât* : (القتات) A person who conveys information from someone to another with the intention of causing harm and enmity between them. (*Sahîh Al-Bukhâri*, Vol. 8, *Hadith* No.82).

*Qiblah* : (القبلة) The direction towards all Muslims face in *Salât* (prayers) and that direction is towards the Ka'ba in Makka (Saudi Arabia).

*Qîl wa Qâl* : (قيل وقال) Sinful, useless talk (e.g. backbiting, lies, etc.).

*Qintâr* : (القنطار) A weight-measure for food-grains, etc., e.g. wheat, maize, oat, barley.

*Qirâm* : (القرام) A thin marked woollen curtain.

*Qirât* : (القيراط) A special weight; sometimes a very great weight like Uhud mountain. 1 *Qirat* = ½ *Dâniq* & 1 *Dâniq* = $^1/_6$ Dirham.

*Qissî* : (القسي) A kind of cloth containing silk; some say it is called so because it is manufactured in Egypt at a place called *Qiss*.

*Qithâm* : (القثام) A plant disease which causes fruit to fall before ripening.

*Qiyâm* : (القيام) The standing posture in *Salât* (prayer).

*Qiyâs* : (القياس) Verdicts and judgements given by the Islâmic religious scholars. These are given on the following proofs respectively:- (A) From the Qur'ân; (B) From the Prophet's *Sunnah*. (C) From the unanimously accepted verdict of the *Mujtahidûn*; (D) *Qiyâs*: i.e. the verdict given by a *Mujtahid* who considered the case similar in comparison with a case judged by the Prophet صلى الله عليه وسلم. *Qiyâs* is not to be practised except if the judgement of the case is not found in the first three above mentioned proofs, A, B and C.

*Qubâ'* : (القباء) A place on the outskirts of Al-Madîna. The Prophet صلى الله عليه وسلم established a mosque there, which bears the same name. A visit to that mosque on Saturday forenoon and offering a two *Rak'a Salât* (prayer) is regarded as a performance of *'Umra* in reward according to the Prophet's saying.

*Qudhadh* : (القذذ) A part of an arrow.

*Qumqum* : (قمقم) A narrow - headed vessel.

*Qunût* : (القنوت) An invocation in the *Salât* (prayer).

*Quraish* : (القريش) One of the greatest tribes in Arabia in the Pre-Islâmic Period of Ignorance. Prophet Muhammad صلى الله عليه وسلم belonged to this tribe, which had great powers spiritually and financially both before and after Islâm came.

*Quraishi* : (القريشي) A person belonging to the Quraish (well-known Arab) tribe.

*Rabb* : (الرب) There is no proper equivalent for *Rabb* in English language. It means the One and the Only Lord for all the universe, its Creator, Owner, Organizer, Provider, Master, Planner, Sustainer, Cherisher, and Giver of security, etc. *Rabb* is also one of the Names of Allâh. We have used the word "Lord" as nearest to *Rabb*. All occurances of "Lord" actually mean *Rabb* and should be understood as such..

*Rabbuka* : (ربك) Your Lord, Your Master.

*Rabî'-ul-Awwal* : (ربيع الأول) Third month of the Islâmic calendar.

*Râhila* : (الراحلة) A she-camel used for riding. (Literally means: a mount to ride).

*Rahn* : (الرهن) According to *Shari'a, Ar-Rahn* (mortgage) means to give some property or belonging to a creditor as a security for payment of a loan or debt.

*Raiyân* : (الريّان) The name of one of the gates of Paradise through which the people who often observe *Saum* (fasts) will enter.

*Rajab* : (رجب) The seventh month of the Islâmic calendar.

*Rajaz* : (الرجز) Name of poetic metre.

*Rak'a* : (الركعة) The *Salât* (prayer) of Muslims consists of *Rak'ât* (singular-*Rak'a*, which consists of one standing, one bowing and two prostrations).

*Ramadân* : (رمضان) The month of observing *Saum* (fasts). It is the ninth month of the Islamic calendar. In it the Noble Qur'ân started to be revealed to

our Prophet صلى الله عليه وسلم and in it occurs the night of *Qadr* and in it also occurred the great decisive battle of Badr.

*Ramal* : (الرمل) Fast walking accompanied by the movements of the arms and legs to show one's physical strength. This is to be observed in the first three rounds of the *Tawâf* around the Ka'ba, and is to be done by the men only and not by the women.

*Ramy* : (الرمي) The throwing of pebbles at the *Jimar* at Mina.

*Riba* : (الربا) Usury, which is of two major kinds: (a) *Riba Nasî'a,* i.e. interest on lent money; (b) *Riba Fadl,* i.e. taking a superior thing of the same kind of goods by giving more of the same kind of goods of inferior quality, e.g., dates of superior quality for dates of inferior quality in greater amount. Islâm strictly forbids all kinds of usury.

*Ridâ'* : (الرداء) A piece of cloth (sheet etc.) worn around the upper part of the body.

*Rikâz* : (الركاز) Buried wealth.

*Rûh-ullah* : (روح الله) According to the early religious scholars from among the Companions of the Prophet صلى الله عليه وسلم and their students and the *Mujtahidûn*, there is a rule to distinguish between the two nouns in the genitive construction:

(A) When one of the two nouns is Allâh, and the other is a person or a thing, e.g., (i) Allâh's House (*Bait-ullah* بيت الله ), (ii) Allâh's Messenger; (iii) Allâh's slave (*'Abdullah* عبدالله ); (iv) Allâh's spirit (*Rûh-ullâh* روح الله ) etc.

The rule of the above words is that the second noun, e.g., House, Messenger, slave, spirit, etc. is created by Allâh and is honourable with Him and similarly Allâh's spirit may be understood as the spirit of Allâh, in fact, it is a soul created by Allâh, i.e. 'Iesa (Jesus), and it was His Word: "Be!" — and he was created (like the creation of Adam).

(B) But when one of the two is Allâh and the second is neither a person nor a thing, then it is not a created thing but is a quality of Allâh, e.g., (i) Allâh's Knowledge (*'Ilmullâh* علم الله ); (ii) Allâh's Life (*Hayatullâh* حيات الله ); (iii) Allâh's Statement (*Kalâmullâh* كلام الله ); (iv) Allâh's Self (*Dhâtullâh* ذات الله )etc.

*Ruqba* : (رقبى) It is the house which is gifted to someone for lifetime only to live at, and not as a belonging.

*Sâ'* : (الصاع) A measure that equals four *Mudd* (3 kg. approx).

*Sab'a-al-Mathânî*: (سبع المثاني) The seven repeatedly recited Verses i.e. *Sûrat Al-Fâtiha.*

*Sabâhâ* : (صباحاه) An exclamation indicating an appeal for help.

*Sâbi'ûn* : (الصابئون) A passed nation used to live in 'Irâq say *Lâ ilâha ill-Allâh* (none has the right to be worshipped but Allâh) and used to read *Az-Zabûr* (the Psalms of the *Sâbi'ûn*) and they were neither Jews nor Christians.

*Sa'dân* : (السعدان) A thorny plant suitable for grazing animals.

*Sadaqa* : (الصدقة) Anything given in charity.

*Safa and Marwa* : (الصفا والمروة) Two mountains at Makka neighbouring *Al-Masjid-Al-Harâm* (the sacred mosque) to the east. One who performs *'Umrah* and *Hajj* should walk seven times between these two mountains and that is called *'Sa'y'*.

*Sahbâ'* : (صهباء) A place near Khaibar.

*Sahihain* : (الصحيحين) The two *Hadîth* books of Imam Bukhari and Muslim.

*Sahûr* : (السحور) A meal taken at night before the *Fajr* (morning) prayer by a person observing *Saum* (fast).

*Sahw* : (السهو) Forgetting (here it means forgetting how many *Rak'at* a person has prayed in which case he should perform two prostrations of *Sahw*).

*Sakînah* : (السكينة) Tranquillity, calmness, peace and reassurance etc.

*Salab* : (السلب) Belongings (arms, horse, etc.) of a deceased warrior killed in a battle.

*Salaf* : (السلف) A sale in which the price is paid at once for goods to be delivered later.

*Salam* : (السلم) Synonym of *Salaf*.

*Sami' Allâhu liman hamidah* : (سمع الله لمن حمده) Allâh hears him who praises Him.

*Samur* : (السمر) A kind of tree.

*Sanah* : (سناه) Means 'good' in the Ethiopian language.

*Sarîya* : (السرية) A small army-unit sent by the Prophet صلى الله عليه وسلم for *Jihâd*, without his participation in it.

*Sarif* : (سرف) A place about ten kilometers away from Makka.

*Sawîq* : (السويق) A kind of mash made of powdered roasted wheat or barley grain (also with sugar and dates).

*Sa'y* : (السعي) The going for seven times between the mountains of As-Safâ and Al-Marwa in Makka during the performance of *Hajj* and *'Umrah*.

*Sayyid* : (السيد) Master or Mister (it is also used as a title name of the descendants of the Prophet صلى الله عليه وسلم ).

*Sayyidî* : (سيدي) My master.

*Sha'bân* : (شعبان) The eighth month of the Islâmic calendar.

*Shâm* : (الشام) The region comprising Syria, Palestine, Lebanon and Jordan.

*Shawwâl* : (شوال) The tenth month of the Islâmic calendar.

*Shighâr* : (الشغار) A type of marriage in which persons exchange their daughters or sisters in marriage without *Mahr*.

*Shirâk* : (الشراك) A leather strap.

*Shirk* : (الشرك) Polytheism and it is to worship others along with Allâh.

*Shuf'a* : (الشفعة) Pre-emption.

*Siddîq* and *Siddîqûn* : (الصديق والصديقون) Those followers of the Prophets who were first and foremost to believe in them (See the Qur'ân, V.4:69).

*Sidr* : (السدر) Lote tree (or *Nibk* tree).

*Sidrat-ul-Muntaha* : (سدرة المنتهى) A *Nabk* tree over the seventh heaven near the Paradise (the lote tree of the utmost boundary).

*Siffîn* (battle of) : (صفين) A battle that took place at Siffin between 'Alî's followers and Mu'âwiyah's followers after the killing of 'Uthmân رضي الله عنه.

*Siwâk* : (السواك) A piece of a root of a tree called *Al-Arâk*, used as a toothbrush.

*Subhân Allâh* : (سبحان الله) Glorified is Allâh.

*Suhûliya* : (السحولية) A cotton cloth, its name is derived from the name of a village in Yemen called Suhûl.

*Sundus* : (السندس) A kind of silk cloth.

*Sunna* : (السنة) The legal way or ways, orders, acts of worship and statements etc. of the Prophet صلى الله عليه وسلم, that have become models to be followed by the Muslims.

*Sutra* : (السترة) An object like a pillar, wall or stick, a spear etc., the height of which should not be less than a foot and must be in front of a person offering *Salât* (prayer) to act as a symbolical barrier between him and the others.

*Tâba* : (الطابة) Another name for Al-Madîna Al-Munawwara.

*Tabi'i* : (التابعي) (Plural: *Tabi'in* التابعين meaning 'followers' or 'successors'). The title of the person who has met or accompanied any Companion of the Prophet صلى الله عليه وسلم.

*Tabûk* : (تبوك) A well-known town about 700 kilometers north of Al-Madîna.

*Tâghût* : (الطاغوت) The word *Tâghût* covers a wide range of meanings: It means anything worshipped other than the Real God (Allâh), i.e. all the false deities. It may be Satan, devils, idols, stones, sun, stars, angels, human beings e.g. 'Iesa (Jesus), Messengers of Allâh, who were falsely worshipped and taken as *Tâghût*. Likewise saints, graves, rulers, leaders, etc., are falsely worshipped, and wrongly followed.

*Tahajjud* : (التهجد) Night optional prayer offered at any time after *'Ishâ'* prayer and before the *Fajr* prayer.

*Tahnik* : (التحنيك) It is the Islâmic customary process of chewing a piece of date etc.and putting a part of its juice in the child's mouth and pronouncing *Adhân* in child's ears, etc. (See *Sahîh Al-Bukhâri*, the Book of *'Aqîqah*, Vol. 7, Page No. 272).

*Taiba* : (الطيبة) One of the names of Al-Madîna city.

*Tâ'if* : (الطائف) A well-known town near Makka.

| | |
|---|---|
| *Takbîr* : | (التكبير) Saying *Allâhu-Akbar* (Allâh is the Most Great). |
| *Takbîra* : | (التكبيرة) A single utterance of *Allâhu-Akbar* |
| *Talbîna* : | (التلبينة) A dish prepared from flour and honey. |
| *Talbîya* : | (التلبية) Saying *Labbaik, Allâhumma Labbaik* (O Allâh! I am obedient to Your Orders, I respond to Your Call). |
| *Taqlîd* : | (التقليد) Putting coloured garlands around the necks of *Budn* (animals for sacrifice). |
| *Tarâwîh* : | (التراويح) Optional *Salât* (prayers) offered after the *'Ishâ'* prayers on the nights of Ramadân. These may be performed individually or in congregation. |
| *Taribat Yamînuka* : | (تربت يمينك) May your right hand be in dust). It is an expression of exhortation, meaning, if you do not do what I tell you, you will lose great advantage and win nothing but dust. |
| *Tarji'* : | (الترجيع) Repetition of the words of the *Adhân* twice by the *Mu'adhdhin* (call-maker). |
| *Tashahhud* : | (التشهد) The recitation of the invocation: *At-tahiyâtu lillâhi*... (up to) ... *wa ash-hadu anna Muhammadan Rasûl-ullâh*", while in *Qu'ûd*, i.e. sitting posture in *Salât* (prayer). [See *Sahîh Al-Bukhâri*, Vol. 1, *Hadîth* No. 794, and it also means: to testify *Lâ ilâha ill-Allâh wa anna Muhammadan Rusûl Allâh* (none has the right to be worshipped but Allâh and Muhammad is the Messenger of Allâh). |
| *Taslîm* : | (التسليم) On finishing the *Salât* (prayer), one turns one's face to the right and then to the left saying, *Assalamu 'Alaikum wa Rahmatullâh* (Peace and Mercy of Allâh be on you), and this action is called *Taslîm*. |
| *Tauhîd* (Islâmic Monotheism) : | (التوحيد) *Tauhid* means declaring Allah to be the only God. It has three aspects:<br>(A) Oneness of the Lordship of Allâh; *Tauhîd-ar-Rububiya*: To believe that there is only one Lord for all the universe, its Creator, Organizer, Planner, Sustainer, and the Giver of security, etc., and that is Allâh.<br>(B) Oneness of the worship of Allâh; *Tauhîd-al-Uluhiya*: To believe that none has the right to be worshipped [e.g. praying, invoking, asking for help (from the unseen), swearing, slaughtering sacrifices, giving charity, fasting, pilgrimage, etc.], but Allâh.<br>(C) Oneness of the Names and the Qualities of Allâh; *Tauhîd-al-Asmâ' was-Sifât*: To believe that : (i) we must not name or qualify Allâh except with what He or His Messenger صلى الله عليه وسلم has named or qualified Him; (ii) none can be named or qualified with the Names or Qualifications of Allâh; e.g. *Al-Karîm*; (iii) we must confirm Allâh's all qualifications which Allâh has stated in His Book (the Qur'ân) or mentioned through His Messenger (Muhammad صلى الله عليه وسلم ) without changing them or ignoring them completely or twisting the meanings or giving resemblance to any of the created things; e.g. Allâh is present over His Throne as mentioned in the Qur'ân. |

(V.20: 5): "The Most Beneficent (i.e. Allâh) *Istawa* (rose over) the (Mighty) Throne" over the seventh heaven; and He only comes down over the first (nearest) heaven (to us) during the day of 'Arafât (*Hajj*, i.e. 9th Dhul-Hijja) and also during the last third part of the night, as mentioned by the Prophet صلى الله عليه وسلم, but He is with us by His Knowledge only, not by His Personal Self (*Bi-Dhâtihi*), "There is nothing like unto Him, and He is the All-Hearer, the All-Seer." (The Qur'ân, V. 42:11).

This Noble Verse confirms the quality of hearing and the quality of sight for Allâh without resemblance to others; and likewise He also said: "To one whom I have created with Both My Hands," (V. 38:75); and He also said: "The Hand of Allâh is over their hands.": (V. 48:10, the Qur'ân). This confirms two Hands for Allâh, but there is no similarity for them.

This is the Faith of all true believers, and was the Faith of all the Prophets of Allâh from Nûh (Noah), Ibrahim (Abraham), Mûsa (Moses) and 'Iesa (Christ) till the last of the Prophets, Muhammad صلى الله عليه وسلم. It is not like as some people think that Allâh is present everywhere, here, there and even inside the breasts of men

These three aspects of *Tauhîd* are included in the meanings of *Lâ ilâha ill-Allâh* (none has the right to be worshipped but Allâh).

It is also essential to follow Allâh's Messenger Muhammad صلى الله عليه وسلم: *Wajûb Al-Ittebâ'* and it is a part of *Tauhîd-al-Uluhiya*. This is included in the meaning: "I testify that Muhammad صلى الله عليه وسلم is the Messenger of Allâh" and this means, "None has the right to be followed after Allâh's Book (the Qur'ân), but Allâh's Messenger صلى الله عليه وسلم". [See the Qur'ân (V. 59:7) and (V. 3:31)].

*Tawâf* : (الطواف) The circumambulation of the Ka'ba.

*Tawâf-al-Ifâda* : (طواف الإفاضة) The circumambulation of the Ka'ba by the pilgrims after they come from Mina on the tenth day of Dhul-Hijja. This *Tawâf* is one of the essential ceremonies (*Rukn*) of the *Hajj*.

*Tawâf-ul-Wadâ'* : (طواف الوداع) The *Tawâf* made before leaving Makka after performing *Hajj* or *'Umrah*.

*Tayammum* : (التيمم) To put or strike lightly the hands over clean earth and then pass the palm of each on the back of the other, blow off the dust and then pass them on the face. This is performed instead of ablution (*Wudu*) and *Ghusl* (in case of *Janaba* etc.).

*Thaniyat-al-Wadâ'* : (ثنية الوداع) A place near Al-Madina.

*Tharîd* : (الثريد) A kind of meal, prepared from meat and bread.

*Thaur* : (الثور) A well-known mountain in Al-Madîna.

*Thunya* : (الثنيا) is a kind of trade in which a person sells the fruit of his garden still on trees for a certain price but on condition that he will keep some of its fruit. This is unlawful because 'some' is not a fixed measure, and it is fraudulent.

*Tilâ'* : (الطلاء) A kind of alcoholic drink prepared from grapes.

*Tubbân* : (تبان) Shorts that cover the knees (used by wrestlers).

*Tulaqâ'* : (الطلقاء) Those persons who had embraced Islâm on the day of the conquest of Makka.

*Tûr* : (الطور) A mountain.

*Uhud* : (أحد) A well-known mountain in Al-Madîna. One of the great battles in the Islâmic history took place at its foot. This battle is called *Ghazwa* Uhud.

*Ummah* : (الأمة) Nation; referring to the Muslim people.

*Umm-ul-Walad* : (أم الولد) A slave-woman who begets a child for her master.

*Umm-ul-Mu'minin* : (أم المؤمنين) 'Mother of the believers'. It is a title given to the wives of the Prophet صلى الله عليه وسلم. The plural of it is *Ummahât-ul-Mu'minin.*

*Umra* : (العمرى) To gift a house to somebody.

*'Umrah* : (العمرة) A visit to Makka during which one performs the *Tawâf* around the Ka'ba and the *Sa'y* between As-Safâ and Al-Marwa. It is also called 'lesser *Hajj*'. (See *Sahih Al-Bukhâri,* Vol. 3, Page 1).

*Uqîya* : (أوقية) (Plural: *Awâqin*) 128 grams. It may be less or more according to different countries.

*'Urbân* : (العربان) *Urbân* means earnest money. If somebody settles the price of an animal and pays a certain amount as earnest money that if he did not buy this animal, the seller will keep the earnest money and in case the deal is accomplished, the buyer will deduct the earnest money from the price paid. It is prohibited.

*'Urfut* : (العرفط) The tree which produces *Maghâfir.*

*'Ushr* : (العشر) One-tenth of the yield of land to be levied for public assistance (*Zakât*). (See *Sahîh Al-Bukhâri,* Vol. 2, *Hadîth* No. 560).

*Wahy* : (الوحي) The Revelation or Inspiration of Allah to His Prophets.

*Waihaka* : (ويحك) 'May Allâh be Merciful to you.'

*Wailaka* : (ويلك) 'Woe upon you!'

*Walâ'* : (الولاء) *Al-Wâla'* is a right to inherit the property of a freed slave to the person who has freed him. *Ahadîth* has made it clear that *Wâla'* is a part like a lineage. It cannot be sold or gifted, so selling it or offering it as a gift is prohibited.

*Walî* : (الولي) (Plural *Auliyâ'*) Protector, guardian, supporter, helper, friend etc.

*Walîma* : (الوليمة) The marriage feast.

*Waqf* : (الوقف) Religious endowment.

*Wars* : (الورس) A kind of shrub used for colouring yellow.

*Wasâyâ* : (الوصايا) Wills or testaments. (Singular: *Wasiyya* الوصية)

*Wasq* : (الوسق) (Plural: *Awsaq* or *Awsuq*) A measure equal to 60 *Sa* = 135 kg. approx. It may be less or more.

*Wisâl* : (الوصال) Observing *Saum* (fast) for more than one day continuously.

*Wasila* : (الوسيلة) The means of approach or achieving closeness to Allah by getting His favours.

*Witr* : (الوتر) An odd number of *Rak'at* with which one finishes one's *Salât* (prayers) at night after the night prayer or the *Ishâ* prayer.

*Wudû* : (الوضوء) Ablution, which is washing the face and the hands up to the elbows, wiping the head and ears with wet fingers, and washing the feet up to ankles for the purpose of offering prayers or doing circumambulation round the Ka'ba.

*Yalamlam* : (يلملم) The *Miqât* of the people of Yemen.

*Yamâma* : (اليمامة) A place in Saudi Arabia towards Najd. Here a battle took place between the early Muslims and the followers of Musailima — the false prophet.

*Yaqîn* : (اليقين) Perfect absolute Faith.

*Yarmûk* : (اليرموك) A place in Shâm.

*Yathrib* : (يثرب) One of the names of Al-Madîna.

*Yaum An-Nafr* : (يوم النفر) The 12th or 13th of Dhul-Hijja when the pilgrims leave Mina after performing all the ceremonies of *Hajj* at 'Arafât, Al-Muzdalifa and Mina.

*Yaum An-Nahr* : (يوم النحر) The day of slaughtering the sacrificial animals, i.e., the 10th of Dhul-Hijja.

*Yaum At-Tarwiya* : (يوم التروية) The eighth day of the month of Dhul-Hijja, when the pilgrims leave Makka for Mina.

*Yaum Ar-Ro'us* : (يوم الرؤوس) Meaning 'day of heads'. It is the name of the day following the *'Eid* day (*'Eid-al-Adha*).

*Zakât* : (الزكاة) A certain fixed proportion of the wealth and of the each and every kind of the property liable to *Zakât* of a Muslim to be paid yearly for the benefit of the poor in the Muslim community. The payment of *Zakât* is obligatory as it is one of the five pillars of Islâm. *Zakât* is the major economic means for establishing social justice and leading the Muslim society to prosperity and security..

*Zakât-ul-Fitr* : (زكاة الفطر) An obligatory *Sadaqâ* to be given by Muslims before the prayer of *'Eid-al-Fitr* (See *Sahîh Al-Bukhâri*, Vol. 2, The Book of *Zakât-al-Fitr*, Page No. 339).

*Zam-zam* : (زمزم) The sacred well inside the *Haram* (the grand mosque) at Makka.

*Zanâdiqa* : (الزنادقة) Atheists.

*Zarnab* : (زرنب) A kind of good smelling grass.

*Zuhr* : (الظهر) Noon, mid-day *Salât* (prayer) is called *Zuhr* prayer.

THE END OF GLOSSARY

# BRIEF BIOGRAPHIES OF THE EMINENT *IMAM* OF *HADITH* WHOSE NAMES ARE MENTIONED IN THIS BOOK

## THE SEVEN GREAT *IMAM* OF *HADITH*

### 1. AHMAD (Ibn Hanbal):

He is Abu 'Abdullah, Ahmad bin Muhammad bin Hanbal Ash-Shaibâni, known by the name Ibn Hanbal. He was a celebrated theologian, jurist and a *Hadith* scholar. He is also one of the four *Fiqh Imâm* and the founder of what later came to be known as *Madhhab Al-Hanbaliya* (The Hanbal's juristic school).

Ahmad was born at Baghdad in Rabi'-ul-Awwal, 164 H. He studied the *Hadith* and *Fiqh* together with other Islamic disciplines in Baghdad, then travelled to Ash-Shâm and Hijâz for further studies. He was persecuted during the rule of Al-Mâ'mûn bin Hârun Ar-Rashid for refusing to acknowledge the *Bid'a* of claiming 'the creation of the Qur'ân' introduced by the *Mu'tazila*. He, however, stood firm against all the trials and saved the *Sunna* from the innovation of the wretched *Mu'tazila* thoughts. He was the mostly persecuted and most firm one amongst all the *Imâm*. He is most famous for collecting the *Ahadith* of the Prophet صلى الله عليه وسلم compiled in the *Musnad Ahmad bin Hanbal*, which contain 28 to 29 thousand *Ahadith*. It was said that Ibn Hanbal memorized one million *Ahadith*.

Ibn Hanbal died in Baghdad on Friday, 12 Rabi'-ul-Awwal 241 H.

### 2. AL-BUKHÂRI, Muhammad bin Ismâ'il:

He is the *Amir-ul-Mu'minîn* in the knowledge of *Hadith*, and his full name is Abu 'Abdullah, Muhammad bin Ismâ'il bin Ibrâhim bin Al-Mughira bin Bardizbah Al-Ju'fi Al-Bukhâri. He was born in Shawwâl 194 H. in Bukhâra in what is now Uzbekistan. Al-Bukhâri studied *Ahadith* at an early age and travelled widely over the Muslim world collecting *Ahadith* and compiled the most authentic ones in his book *Al-Jâmi' As-Sahih*, which later became known as *As-Sahih Al-Bukhâri* and contains 2602 *Ahadith* which he selected from the thousands of *Ahadith* that he had memorized.

Al-Bukhâri studied under famous *Hadith Imam* like Mâlik bin Anas and Yahya bin Ma'in. He died in Samarqand, the present day capital of Uzbekistan[1], the night of *'Eid-ul-Fitr*, 256 H. Al-Bukhâri was unique in the science of the methodology of *Hadith* and his book *Al-Jâmi' As-Sahih* is considered to be the most authentic book after the Qur'ân.

[1] Nowadays the capital is Tashkent.

**3. MUSLIM bin Hajjâj:**

Muslim's full name is Muslim bin Al-Hajjâj Al-Qushairi An-Nishapuri. He was born in 204 H., in the city of Nishapur near the city of Mashhad in present Iran. Muslim is considered second only to Al-Bukhâri in the science of the methodology of *Hadith*. He started the study of *Hadith* at an early age and travelled to 'Iraq, Hijâz, Ash-Shâm and Egypt and studied under the scholars of *Hadith* at that time like Al-Bukhâri, Ahmad bin Hanbal and Ibn Abu Shaiba. He also taught the famous *Hadith* scholars like At-Tirmidhi and Ibn Abu Hâtim.

Muslim compiled the *Hadith* book *Al-Musnad As-Sahih*, which became known as *Sahih Muslim*. This book, which is considered by the Muslim *'Ulama* as the second most authentic *Hadith* book after *Al-Bukhâri*, contains 9,200 *Ahadith*. Imam Muslim died at his birthplace in Rajab 261 H.

**4. ABU DÂ'UD, Sulaimân bin Al-Ash'ath:**

Abu Dâ'ud, Sulaimân bin Al-Ash'ath bin Ishâq Al-Azdi As-Sijistâni, who was one of the eminent *Imâm* of *Hadith*, was born in 202 H. He studied *Ahadith* under Imâm Ahmad bin Hanbal along with Al-Bûkhari and taught many of the later scholars of *Hadith*, like At-Tirmidhi and An-Nasâ'i.

Though Abu Dâ'ud collected 5,00,000 *Ahadith*, he compiled 4,800 *Ahadith* only in his book entitled *As-Sunan*, which he taught in Baghdad and other major cities at that time. He died at Basra on Friday in the month of Shawwâl 275 H.

**5. AT-TIRMIDHI, Abu 'Iesa Muhammad bin 'Iesa:**

Abu 'Iesa, Muhammad bin 'Iesa bin Sura At-Tirmidhi was born in 209 H. in a town called Tirmidh in Uzbekistan near the northern border of Afghanistan.

He was a student of Al-Bukhâri, and compiled 4,000 *Ahadith* in his book called *Al-Jâmi'* which later came to be known as *Sunan At-Tirmidhi*. He also contributed tremendously to the methodology of *Hadith* and composed a book on it called *Al-'Ilal* (the discrepancies). He was famous for his piousness and asceticism. He became blind and finally died on 13 Rajab 279 H.

**6. AN-NASA'I, Abu 'Abdur-Rahmân Ahmad bin Shu'aib;**

Abu 'Abdur-Rahmân, Ahmad bin 'Ali bin Shu'aib bin 'Ali Al-Hâfiz was born in 215 H. in Nisa', a city in Khurâsan. He became famous for the study of the methodology of *Hadith*, memorizing and mastering it. His book known as *Sunan An-Nasâ'i* is third to *Sahih Al-Bukhâri* in terms of containing the least weak *Ahadith*. He lived in Egypt then moved to Damascus in Syria and died in Makka in the year 303 H.

**7. IBN MÂJAH, Muhammad bin Yazid:**

Abu 'Abdullah, Muhammad bin Yazid bin Mâjah Al-Qizwini was born in 207 H. He studied under Imâm Mâlik and others, and many people narrated

*Ahadith* from him. He was one of the eminent scholars of *Hadith*, but his *Sunan* contains many weak and even *Munkar Ahadîth*. Ibn Mâjah died in Ramadân in 273 H.

## OTHER *HADITH* SCHOLARS

### 8. IBN RÂHWAIH, Ishâq bin Ibrâhim:

Abu Ya'qub, Ishâq bin Ibrâhim At-Tamimi Al-Hanzali Al-Marwazi was an eminent and great *Hâfiz,* who was a resident and the *'Aalim* of Nishapur. He was also considered as the *Sheikh* of the east of his time and was known as Ibn Râhawaih. Imâm Ahmad said, "I don't know an *'Aalim* equal to Ishaq in Iraq. Abu Zar'a also said, "There was no body so good at memorizing the *Hadith* than Ishâq." Abu Hâtim also said, "His mastery (of the *Hadith*), accuracy and memorization were very surprising."

Ibn Râhwaih was born in the year 166 H. or 161 H. and died on 15th Sha'bân 238 H.

### 9. AL-ISMÂ'ILI, Ahmad bin Ibrâhim:

Abu Bakr, Ahmad bin Ibrâhim bin Ismâ'il bin Al-'Abbâs Al-Ismâ'ili Al-Jurjâni was born in 277 H. He was considered as an *Imâm* and a *Hâfiz*, and was given the title *Sheikh-ul-Islam* due to his wide knowledge and because he was the leader of the *Shâfi'iya Madhhab* in his region.

### 10. AL-BAZZÂR, Ahmad bin 'Amr:

Abu Bakr, Ahmad bin 'Amr bin 'Abdul-Khâliq Al-Basri was one of the eminent and learned *Hadith* scholars who had attained the rank of *Hâfiz* in the memorization of *Hadith*. He authored two books on *Hadith* which are *Al-Musnad Al-Kabir* and *Al-'Ilal*. He studied under At-Tabarâni and others. Al-Bazzâr died in 292 H.

### 11. AL-BAIHAQI, Ahmad bin Al-Husain:

Abu Bakr, Ahmad bin Al-Husain was born in Sha'bân in the year 374H. He was considered a learned *Hâfiz* among the eminent *Imâm* of *Hadith* and a jurisprudence scholar specialized in *Ash-Shâfi'i Madhhab*. He wrote many books like *As-Sunan Al-Kubra* and *As-Sunan As-Sughra*. Adh-Dhahabi said, "His books exceed one thousand volumes." Al-Baihaq, which he is named after, is a town near Nishapur. Al-Baihaqi died in 458 H.

### 12. ABU HÂTIM AR-RÂZI, Muhammad bin Idris:

Abu Hâtim, Muhammad bin Idris bin Al-Mundhir Al-Hanzali Ar-Râzi was born in the year 195 H. He was an eminent *Hâfiz* and an *Imâm* and one of the

prominent scholars who excelled in the methodology of *Hadith*. He was also one of the most respected scholars in the knowledge *Al-Jarh wat-Ta'dil* (verifying the reliability and unreliability of the narrators of the *Hadith*).

### 13. IBN AL-JÂRUD, 'Abdullah bin 'Ali:

Abu Muhammad, 'Abdullah bin 'Ali bin Al-Jârud An-Nishapuri, who lived near Makka, was an *Imâm* and a *Hâfiz* who was among those *'Ulama* who mastered the recitation of the Qur'ân. He authored *Al-Muntaqa fil-Ahkâm* and was among the pious *'Ulama* of his time. Ibn Al-Jârud died in 307 H.

### 14. AL-HÂRITH bin Abu Usâma:

Imam Abu Muhammad, Al-Hârith bin Abu Usâma Muhammad bin Dâhir At-Tamimi Al-Baghdadi was a *Hâfiz* and authored *Al-Musnad* which he did not arrange. Ibrâhim Al-Harbi and Abu Hâtim verified him as reliable, and Ad-Dâraqutni said, "He is truthful." Al-Hârith was born in 186 H. and died on *'Arafa* Day 282 H.

### 15. AL-HÂKIM, Abu Abdullah:

Abu 'Abdullah, Muhammad bin 'Abdullah An-Nishapuri Al-Hâkim known as Ibn Al-Baiyi' was born in 321H. He was a celebrated *Imâm* in the verification of *Hadith*. He authored *Al-Mustadrak* in the methodology of *Hadith*. It is said that he studied under one thousand professors and authored some valuable books. Al-Hâkim was pious and religious. He died in Safar 405 H.

### 16. IBN HIBBÂN, Abu Hâtim Ibn Hibbân:

Abu Hâtim, Muhammad bin Hibbân bin Ahmad bin Hibbân Al-Busti was born in Bust in Sijistan. He was one of the celebrities in the knowledge of *Hadith*, pious, *Faqih*, learned and one of the students of Ibn Khuzaima. He died in Samarqand in 354 H., while in his eighties.

### 17. IBN KHUZAIMA, Muhammad bin Ishâq:

Ibn Khuzaima, Muhammad bin Ishâq was born in 223 H. in Nishapur. He was considered as a *Sheikh-ul-Islam* (the most learned *'Aalim* of Islam) and one of the eminent and senior *Hâfiz*. He was the *Imâm* and *Hâfiz* of Khurasan during his time. He also authored more than 140 books. Ibn Khuzaima died in Nishapur in 311 H.

### 18. IBN ABU KHAYTHAMA:

Abu Bakr, Ahmad bin Abu Khaythama Zuhair bin Harb An-Nasâ'i Al-Baghdadi was a celebrated *Imâm*, *Hâfiz* and an authority. He authored *At-Tarikh Al-Kabir*. Ad-Dâraqutni said about him, "He was reliable and trustworthy." Al-Khatib also said, "He was reliable *'Aalim* (learned), accurate

*Hafiz*, knowledgeable in the history of people, and the narration of poetry." He studied *Ahadith* under Ahmad bin Hanbal and Ibn Ma'în. Ibn Abu Khaythama died in Jumada-ul-Ula 289 H., at the age of 94 years.

**19. AD-DÂRAQUTNI, 'Ali bin 'Umar:**

Abul-Hasan, 'Ali bin 'Umar bin Ahmad bin Mahdi Al-Baghdadi. He was nicknamed after a big store called Dâr Al-Qutn in Baghdad. He was a great *Hâfiz* and a unique *Imâm* who was born in the year 306 H. He was the authority in the methodology of *Hadith*, the knowledge of the weaknesses of the *Hadith* narrations and names of the *Hadith* narrators of his time. Ad-Dâraqutni died on 8th Dhul-Qa'da 385 H.

**20. AD-DÂRIMI, 'Abdullah bin 'Abdur-Rahmân:**

Abu Muhammad, 'Abdullah bin 'Abdur-Rahmân bin Al-Fadl bin Bahrâm At-Tamimi Ad-Dârimi As-Samarqandi was born in the year 181 H. He was a celebrated *Imâm*, *Hâfiz* and *Sheikh-ul-Islam* of Samarqand and the author of *Al-Musnad Al-'Aali.* He heard *Ahadith* at Al-Haramain, Khurasân, Ash-Shâm, Iraq and Egypt. Muslim, Abu Da'ûd, At-Tirmidhi, An-Nasâ'i and others transmitted *Ahadith* from him. He was described to be very intelligent and very virtuous and was considered to be an exemplary person in piousness, patience, hardwork, worship and abstinence. Ad-Dârimi died on 8th Dhul-Hijja 255H.

**21. ABU DÂ'UD, Sulaimân bin Dâ'ud At-Tayâlisi:**

Sulaimân bin Dâ'ud bin Al-Jârud Al-Basri was a Persian by origin and the freed slave of Az-Zubair. He was a great *Hâfiz* and one of the eminent *'Ulama.* Al-Qallâs and Ibn Al-Madini both said about him, "I have not seen someone who is more versed with the *Hadith* more than him." Ibn Mahdi said, "He is a most truthful person." He recorded *Ahadith* from more than one thousand *Sheikh*. Abu Dâ'ud died in the year 204 H. while in his eighties.

**22. IBN ABU AD-DUNYA, 'Abdullah bin Muhammad bin 'Ubaid:**

Abu Bakr, 'Abdullah bin Muhammad bin 'Ubaid bin Sufyân bin Abu Ad-Dunya Al-Qurashi Al-Baghdadi, the freed slave of Banu Umaiya, was born in 208 H. He was a *Muhaddith* and truthful *'Aalim*. He wrote some books and educated more than one of the caliphs' sons like Al-Mu'tadid. Ibn Abu Ad-Dunya died in Jumâda Al-Ûla, 281 H.

**23. ADH-DHUHLI, Muhammad bin Yahya:**

Abu 'Abdullah, Muhammad bin Yahya bin 'Abdullah bin Khâlid bin Fâris, the freed slave of Banu Dhuhl was born in 170 of the Hijra. He was a *Sheikh-ul-Islam* and *Amîr-ul-Mu'minin* in the knowledge of *Hadith* and the *Hâfiz* of Nishapur. He acquired *Ahadith* from many professors in Al-Haramain, Ash-Shâm, Egypt, Iraq, Ar-Ray, Khurasân, Yemen and Al-Jazira and became very

competent in this field and became the authority of knowledge in Khurasân. Ahmad said, "I never saw someone who knows the *Ahadith* of Az-Zuhri from Muhammad bin Yahya than Adh-Dhuhli. He died in Rabî'-ul-Awwal, 258H.

**24. ABU ZUR'A AR-RÂZI, 'Ubaidullah bin Abdul-Karim:**

'Ubaidullah bin 'Abdul-Karim bin Yazid bin Faroukh, Abu Zur'a Ar-Râzi Al-Qurashi by clientship was a *Hâfiz* and an eminent scholar of the *Hadith*. He was also considered among the *Imâm* of *'Al-Jarh wat-Ta'dil* (the critical study of the *Hadîth* narrators). Muslim, At-Tirmidhi, An-Nasâ'i, Ibn Mâjah and others narrated *Ahadith* from him. Adh-Dhahabi said, "Many people heard *Ahadith* from him in Al-Haramain, 'Iraq, Ash-Shâm, Al-Jazira, Khurasan, and Egypt." He was' also well acclaimed for his memorization, brightness, piousness, sincerity, knowledge and the good application of his knowledge. Abu Zur'a Ar-Râzi died towards the end of 264 H. at the age of 64 years.

**25. IBN AS-SAKAN, Sa'id bin 'Uthmân:**

Abu 'Ali Sa'id bin As-Sakan Al-Baghdadi was born in 294 H. He was a celebrated *Hâfiz* and an authoritative *Imâm*. He paid much attention to the study of *Hadith,* and collected and wrote books on *Ahadith*, thus becoming very famous in this field. Ibn As-Sakan died in the year 353 H.

**26. SA'ID bin Mansûr:**

Sa'id bin Mansur bin Shu'ba Al-Marwazi or At-Tâliqâni then Al-Balkhi lived near Makka. He authored the book *As-Sunan*. Ahmad bin Hanbal praised him immensely. Harb Al-Karmâni said, "He (Sa'id) dictated to me about ten thousand *Ahadith* from his memory." Sa'id bin Mansur died in Makka in Ramadân 227 H. while in his nineties.

**27. ASH-SHÂFI'I, Muhammad bin Idris:**

Abu 'Abdullah, Muhammad bin Idris bin Al-'Abbâs bin 'Uthmân bin Shâfi' bin As-Sâ'ib bin 'Ubaid bin 'Abd Yazid bin Hâshim bin 'Abdul-Muttalib bin 'Abd Manâf Al-Qurashi Al-Makki was born in 150 H. in Ghaza and was taken to Makka while a baby. He lived in Egypt where he died in 204 H. He was considered to be one of the most learned persons amongst the Muslim *Ummah*, unique, learned and the founder of the science of *Usûl Al-Fiqh* (the principles of jurisprudence) and the *Shâfi'i Madhhab*. His grandfather Shâfi'i was a *Sahabi* who met the Prophet صلى الله عليه وسلم while a growing up boy.

**28. IBN ABU SHAIBA, Abu Bakr:**

Abu Bakr 'Abdullah bin Muhammad bin Abu Shaiba Ibrâhim bin 'Uthmân bin Hawasi Al-'Ansi (by clientship) was a unique *Hâfiz*. He authored *Al-Musnad wal-Musannaf* and other books. He was a leader in the knowledge of *Hadith*

and Abu Zur'a, Al-Bukhâri, Muslim, Abu Dâ'ud and Khalaf narrated it from him. Abu Bakr died in Muharram, 235 H.

### 29. AT-TABARÂNI, Sulaimân bin Ahmad:

Abul-Qâsim, Sulaimân bin Ahmad bin Ayub bin Mutair Al-Lakhmi At-Tabarâni was born in 260 H. in Tabariya As-Shâm. He was an authoritative *Imâm* and narrated *Ahadith* from more than one thousand *Sheikh* (professors). He left Ash-Shâm to acquire the knowledge of *Ahadith* and spent thirty-three years of travelling in its pursuance.

He authored many interesting and amusing books, among them are *Al-Mu'jam Al-Kabîr, Al-Mu'jam Al-Awsat*, and *Al-Mu'jam As-Saghir*. At-Tabarâni lived in Asfahan and died there on 27th Dhul-Qa'da, 360 H.

### 30. AT-TAHÂWI, Ahmad bin Muhammad:

Abu Ja'far, Ahmad bin Muhammad Salâma bin Salama Al-Azdi Al-Misri At-Tahâwi Al-Hanafi was born in the year 228 H. or 227 H. He was nicknamed after a village called Taha in Egypt. He was a follower of the *Shâfi'i Madhhab* (school of jurisprudence) and a student of Al-Muzni, his nephew until the latter one day told him, "By Allah, you will never became anything." At-Tahâwi then became angry and moved to Abu 'Imrân Al-Hanafi and not only became a *Hanafi* (a follower of the *Hanafi Madhhab*) but very enthusiastic in proving the *Hanafi Madhhab* by strengthening the reports, adducing the *Hadith* weakened by the others as evidence to support his *Madhhab*. Al-Baihaqi also said that he used to weaken the unfavourable *Hadith* to his *Madhhab* through methods not approved of by the scholars of the *Hadith*. Among his most famous books is *Sharh Ma'âni Al-Âthâr*. At-Tahâwi died in the beginning of Dhul-Qa'da, 321 H.

### 31. IBN 'ABDUL-BARR, Yusuf bin 'Abdullah:

Abu 'Umar, Yusuf bin 'Abdullah bin Muhammad bin 'Abdul-Barr bin 'Âsim An-Namari Al-Qurtubi was born in Rabi'-uth-Thâni, 368 H. He was a celebrated learned *Imâm* and was the *Sheikh-ul-Islam* and *Hâfiz* of Al-Maghrib (North West Africa). He was considered as the master of his time in the memorization and accurate rendering of the *Hadith*. He was also skilled in the science of genealogy and history. Ibn Hazm said, "I can not talk about the knowledge of the *Hadith* like 'Abdul-Barr, so how can I do better than him?" He has authored many books, the most famous of which is *Al-Isti'âb*. Ibn 'Abdul-Barr died on a Friday in Rabi'-uth-Thâni, 463 H. at the age of 95 years.

### 32. 'ABDUL-HAQ bin 'Abdur-Rahmân:

Abu Muhammad, 'Abdul-Haq bin 'Abdur-Rahmân bin 'Abdullah bin Husain bin Sa'id Al-Azdi Al-Ishbili was born in 510 H. He was a *Hafiz* and an authority in the knowledge of *Hadith*. He resided in Bijaya in Spain where he

spread his knowledge and authored books. He was famous and a celebrated *'Aalim* and was appointed as the *Khatib* of Bijaya. He was a *Faqih* and knowledgeable in the methodology of the *Hadith*, its weak ones and the history of the *Hadith* narrators. He was also described to be virtuous, pious, ascetic, and a strict follower of the *Sunna*. He also took interest in the arts and recited poetry. 'Abdul-Haq died in Bijaya in Rabi'-uth-Thâni, 581 H.

### 33. 'ABDUR-RAZZÂQ bin Humâm:

Abu Bakr, 'Abdur-Razzâq bin Humâm bin Nâfi' Al-Himyari (by clientship) As-San'âni was considered as one of the strongholds of knowledge. Ahmad, Ishâq, Ibn Ma'in and Adh-Dhuhli narrated *Ahadith* from him. He became blind in his old age and became senile. 'Abdur-Razzâq died in 211 H. at the age of 85 years.

### 34. IBN 'ADI, 'Abdullah:

Abu Ahmad, 'Abdullah bin 'Adi Al-Jurjâni was born in 279 H. He was a famous *Imâm*, an eminent *Hâfiz* and one of the celebrated *'Ulama*. He was also nicknamed Ibn Al-Qisâr. Ibn 'Adi died in Jumâda-ul-Âkhir, 365 H.

### 35. AL-'AQÎLÎ, Muhammad bin 'Amr:

Abu Ja'far, Muhammad bin 'Amr bin Mûsa bin Hamâd Al-'Aqîlî was a *Hâfiz*, an *Imâm* and the author of *Kitâb Ad-Du'afâ' Al-Kabîr*. He was a celebrated scholar, and the author of many books. Al-'Aqili lived in Al-Haramain and died in 322 H.

### 36. 'ALI bin Al-Madini:

Abul-Hasan, 'Ali bin 'Abdullah bin Ja'far bin Najîh As-Sa'di by clientship - Al-Madini was born in 161 H. and was considered as the most knowledgeable person regarding the *Ahadith* of the Prophet صلى الله عليه وسلم and Al-Bukhâri said in this context, "I never belittled myself before anyone else except before 'Ali Al-Madînî." He was considered to be the *Imâm* of *Al-Jarh wat-Ta'dil*, the *Hâfiz* of his time and the exemplary of *Ahl Al-Hadith* (the scholars of the *Hadith*). 'Ali Al-Madînî died at Sâmira in present Iraq at a place called Katibata Al-Qa'qa in the year 234 H.

### 37. IBN AL-QATTÂN, 'Ali bin Muhammad:

Abul-Hasan, 'Ali bin Muhammad bin 'Abdul-Malik Al-Fâsî was born in Qurtuba in Spain in 562 H. and lived in Fâs in Morocco. He was a *Hafiz*, an *Imâm* and a learned critic of the *Hadith* methodology. Moreover, he was more knowledgeable about the *Hadith* methodology and the mastery of the names and history of the narrators of the *Hadith* than anyone else of his time. He also authored many books and died in Rabi'-ul-Awwal, 628 H.

**38. IMAM MÂLIK, Malik bin Anas:**

Abu 'Abdullah, Mâlik bin Anas bin Mâlik bin Abu 'Aamir Al-Asbahî (Dhi Asbah, his ninth grandfather was from one of the noblest tribes of Yemen) was born in 93 H. or 94 H. and is one of the four *Imâm* whose *Madhhab* are followed regarding jurisprudence matters. He was the *Imâm* of *Dâr Al-Hijra* (Al-Madina), the *Faqih* of the *Ummah* and the leader of *Ahl Al-Hadith*. He studied under more than nine hundred professors and uncountable number of people learnt from him, among them being Imam Ash-Shâfi'i, the founder of *Al-Madhhab Ash-Shâfi'iya*.

**39. IBN MANDA, Muhammad bin Ishâq:**

Abu 'Abdullah, Muhammad bin Ishâq bin Muhammad bin Yahya bin Manda was born in 310 H. and was a *Hâfiz*, an *Imâm* and a traveller. He was also one of the eminent *Huffâz* who mastered many *Ahadith*. It is said that he travelled all over the Muslim world of his time and returned with about forty loads of books and his professors were one thousand seven hundred. Ibn Manda died in Dhul-Hijja 395 H.

**40. ABU NU'AIM, Al-Asfahâni:**

Ahmad bin 'Abdullah bin Ahmed bin Ishâq bin Musa bin Mahrân Al-Asfahâni was born in Rajab 334 H. He was a famous *Hâfiz*, one of the eminent *Muhaddithin* and one of the great *Huffâz*. He studied under the celebrated scholars and himself taught many virtuous *'Ulama*. He authored many books, among them *Al-Mustakhraj 'Ala Al-Bukhâri*, and *Al-Mustakhraj 'Ala Muslim* and *Huliyat-ul-Awliyâ*, which is one of the best books. It is said that when he took it to Nishapur, it sold for four hundred Dinar. Al-Asfahâni died in Safar or 20th Muharram, 430 H. at Asfahân.

**41. ABU YA'LA, Ahmad bin 'Ali:**

Al-Hâfiz Ahmad bin 'Ali bin Al-Muthanna bin Yahya bin 'Iesa bin Hilâl At-Tamimi was born in Shawwâl, 210 H. He authored *Al-Musnad Al-Kabîr* and was considered as the *Muhaddith* of Al-Jazira. He was truthful, trustworthy, tolerant and religious. As-Sam'âni said, "I heard Isma'il bin Muhammad bin Al-Fadl Al-Hâfiz say: 'I read the *Musnad* of Al-'Adani, the *Musnad* of Ibn Manî' and other *Masânid*, which are like rivers, but the *Musnad* of Abu Ya'la is like the sea into which all the rivers flow.' " Abu Ya'la died in the year 307 H.

In this book, Allama Hafiz .Ibn Hajar Asqalâni has recorded the true significance of almost each *Hadîth*, thus making it more valuable and useful in many respects. He has also mentioned the origins of the *Ahadith* and made a comparison of the versions in case the sources are more than one. One more distinctive feature, along with others, is that the versions have also been shortened to present just the main purpose of the *Hadîth* according to its classification under the chapter. Because of these preferential qualities, *Bulugh Al-Marâm* has been accepted widely and is among the most sought-after books of *Ahadith*.

بلوغ المرام

دار السلام للنشر